US Laws, statutes, etc.

UNITED STATES STATUTES AT LARGE

CONTAINING THE

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

1965

AND

REORGANIZATION PLANS, PROPOSED AMENDMENT TO
THE CONSTITUTION, AND PROCLAMATIONS

VOLUME 79

IN ONE PART

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FIRST SESSION, 1965

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89-215	*State courts.* AN ACT To extend to thirty days the time for filing petitions for removal of civil actions from State to Federal courts	Sept. 29, 1965	887
89-216	*Labor-Management Reporting and Disclosure Act of 1959, bonding provisions.* AN ACT To amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act	Sept. 29, 1965	888
89-217	*D.C. Code, divorce, legal separation, and annulment.* AN ACT To amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia	Sept. 29, 1965	889
89-218	*U.S. Secret Service, power extension.* AN ACT To authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes	Sept. 29, 1965	890
89-219	*Vessels, gross and net tonnage measurements.* AN ACT To provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes	Sept. 29, 1965	891
89-220	*High-speed ground transportation study.* AN ACT To authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes	Sept. 30, 1965	893
89-221	*Continuing appropriations, 1966.* JOINT RESOLUTION Making continuing appropriations for the fiscal year 1966, and for other purposes	Sept. 30, 1965	895
89-222	*War orphans; educational assistance allowances, increase.* AN ACT To amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program, and for other purposes	Sept. 30, 1965	896
89-223	*Alaska.* AN ACT To provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska	Oct. 1, 1965	896
89-224	*Indians; Klamath Tribe, judgment funds.* AN ACT To provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes	Oct. 1, 1965	897
89-225	*Air Force; enlisted men, relief.* AN ACT To provide for the relief of certain enlisted members of the Air Force	Oct. 1, 1965	898
89-226	*Uinta National Forest, Utah.* AN ACT To authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture	Oct. 1, 1965	899
89-227	*Maryland, real property, conveyance.* AN ACT To provide for the conveyance of certain real property of the United States to the State of Maryland	Oct. 1, 1965	899
89-228	*Roseburg, Oreg., conveyance.* AN ACT To authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oregon	Oct. 1, 1965	900
89-229	*Silk yarn; duty suspension, extension.* AN ACT To extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, and for other purposes	Oct. 1, 1965	901
89-230	*International Committee of the Red Cross.* AN ACT To authorize a contribution by the United States to the International Committee of the Red Cross	Oct. 1, 1965	901
89-231	*American Hospital of Paris.* AN ACT To amend the Act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris	Oct. 1, 1965	901
89-232	*Fish and wildlife.* AN ACT To amend the Act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource	Oct. 1, 1965	902
89-233	*International Pacific Halibut Commission.* AN ACT To amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission	Oct. 1, 1965	902

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89-234	*Water Quality Act of 1965.* AN ACT To amend the Federal Water Pollution Control Act to establish a Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of sewage treatment works, to require establishment of water quality criteria, and for other purposes	Oct. 2, 1965	903
89-235	*"See the United States," 1966.* JOINT RESOLUTION Authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States", and for other purposes	Oct. 2, 1965	910
89-236	*Immigration and Nationality Act, amendments.* AN ACT To amend the Immigration and Nationality Act, and for other purposes	Oct. 3, 1965	911
89-237	*Federal Farm Loan Act and Farm Credit Act of 1933, amendments.* AN ACT To amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes	Oct. 4, 1965	922
89-238	*Lead-Zinc Small Producers Stabilization Act, amendment.* AN ACT To amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961	Oct. 5, 1965	925
89-239	*Heart Disease, Cancer, and Stroke Amendments of 1965.* AN ACT To amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and related diseases	Oct. 6, 1965	926
89-240	*Consolidated Farmers Home Administration Act of 1961, amendments.* AN ACT To amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes	Oct. 7, 1965	931
89-241	*Tariff Schedules Technical Amendments Act of 1965.* AN ACT To correct certain errors in the Tariff Schedules of the United States, and for other purposes	Oct. 7, 1965	933
89-242	*Judicial districts, South Carolina, consolidation.* AN ACT To consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto	Oct. 7, 1965	951
89-243	*Interest Equalization Tax Extension Act of 1965.* AN ACT To provide an extension of the interest equalization tax, and for other purposes	Oct. 9, 1965	954
89-244	*Fire Island National Seashore, N.Y.* AN ACT To authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes	Oct. 9, 1965	967
89-245	*Vegetable tannin extracts, disposal.* AN ACT Authorizing the disposal of vegetable tannin extracts from the national stockpile	Oct. 9, 1965	967
89-246	*Colemanite, disposal.* AN ACT To authorize the disposal of colemanite from the supplemental stockpile	Oct. 9, 1965	968
89-247	*Chromite, disposal.* AN ACT To authorize the disposal of chemical grade chromite from the supplemental stockpile	Oct. 9, 1965	968
89-248	*House of Representatives, additional electric typewriters.* JOINT RESOLUTION To amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House	Oct. 9, 1965	968
89-249	*National Park Service, concession policies.* AN ACT Relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes	Oct. 9, 1965	969

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89-250	*Jewel Cave National Monument, S. Dak.* AN ACT To revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes	Oct. 9, 1965	971
89-251	*Copper.* AN ACT To authorize the transfer of copper from the national stockpile to the Bureau of the Mint	Oct. 9, 1965	972
89-252	*Chromium; fluorspar and silicon carbide, disposal.* JOINT RESOLUTION To authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile	Oct. 9, 1965	972
89-253	*Economic Opportunity Amendments of 1965.* AN ACT To expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964	Oct. 9, 1965	973
89-254	*Merchant Marine Act, 1936, amendment.* AN ACT To amend section 510 of the Merchant Marine Act, 1936	Oct. 10, 1965	980
89-255	*Great Falls property, Virginia, land exchange.* AN ACT To authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes	Oct. 10, 1965	981
89-256	*Continuing appropriations, 1966.* JOINT RESOLUTION Making continuing appropriations for the fiscal year 1966, and for other purposes	Oct. 15, 1965	982
89-257	*Armed Forces; foreign decorations, acceptance.* AN ACT To authorize certain members of the Armed Forces to accept and wear decorations of certain foreign nations	Oct. 19, 1965	982
89-258	*Deaf; educational media, additional loan service.* AN ACT To amend the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf", approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes	Oct. 19, 1965	983
89-259	*Cultural objects, exemption from seizure.* AN ACT To render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes	Oct. 19, 1965	985
89-260	*Library of Congress James Madison Memorial Building.* JOINT RESOLUTION To authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes	Oct. 19, 1965	986
89-261	*Executive departments, women clerkships.* AN ACT To repeal section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments	Oct. 19, 1965	987
89-262	*Cuba, claims of U.S. nationals.* AN ACT To amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba	Oct. 19, 1965	988
89-263	*San Diego, Calif., conveyance.* AN ACT To provide for the conveyance of certain real property of the United States to the city of San Diego, California	Oct. 19, 1965	988
89-264	*Armed Forces; reimbursement procedures, elimination.* AN ACT To amend section 1085 of title 10, United States Code, to eliminate the reimbursement procedure required among the medical facilities of the armed forces under the jurisdiction of the military departments	Oct. 19, 1965	989
89-265	*Armed Forces, disbursements to armed forces of friendly nations.* AN ACT To authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes	Oct. 19, 1965	989
89-266	*Naval Sea Cadet Corps.* AN ACT To authorize the Secretary of the Navy to sell uniform clothing to the Naval Sea Cadet Corps	Oct. 19, 1965	990
89-267	*Canal Zone, transfer of prisoners.* AN ACT To authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General	Oct. 19, 1965	990
89-268	*Communications Act of 1934, amendment.* AN ACT To amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers	Oct. 19, 1965	990

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89-269	*Jefferson National Expansion Memorial, Mo.* AN ACT To amend the Act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, and for other purposes	Oct. 19, 1965	991
89-270	*Forest Service employees.* AN ACT To amend paragraph (a) of the Act of March 4, 1913, as amended by the Act of January 31, 1931 (16 U.S.C. 502)	Oct. 19, 1965	991
89-271	*Missing Persons Act, amendment.* AN ACT To authorize the shipment, at Government expense, to, from, and within the United States and between oversea areas of privately owned vehicles of deceased or missing personnel, and for other purposes	Oct. 19, 1965	992
89-272	*Motor Vehicle Air Pollution Control Act.* AN ACT To amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes	Oct. 20, 1965	992
89-273	*Foreign Assistance and Related Agencies Appropriation Act, 1966.* AN ACT Making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes	Oct. 20, 1965	1002
89-274	*John F. Kennedy—"Years of Lightning, Day of Drums."* JOINT RESOLUTION To allow the showing in the United States of the United States Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums"	Oct. 20, 1965	1009
89-275	*Armed Forces, Naval and Marine Corps Reserve, promotion authority.* AN ACT To amend section 5899 of title 10, United States Code, to provide permanent authority under which Naval Reserve officers in the grade of captain shall be eligible for consideration for promotion when their running mates are eligible for consideration for promotion	Oct. 20, 1965	1010
89-276	*Federal Buildings, inspection contracts.* AN ACT To amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed three years, and for other purposes	Oct. 20, 1965	1010
89-277	*D.C., correctional officers.* AN ACT To extend the penalty for assault on a police officer in the District of Columbia to assaults on employees of penal and correctional institutions and places of confinement of juveniles of the District of Columbia	Oct. 20, 1965	1011
89-278	*Armed Forces, submarine personnel.* AN ACT To amend title 37, United States Code, to authorize payment of incentive pay for submarine duty to personnel qualified in submarines attached to staffs of submarine operational commanders	Oct. 20, 1965	1011
89-279	*Abaca, disposal.* AN ACT To authorize the disposal, without regard to the prescribed six-month waiting period, of approximately ninety-seven million pounds of abaca from the national stockpile	Oct. 20, 1965	1011
89-280	*Smithsonian Institution.* AN ACT To amend the Act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79-79e), so as to increase the amount authorized to be appropriated to the Smithsonian Institution for use in carrying out its functions under said Act, and for other purposes	Oct. 20, 1965	1012
89-281	*U.S. Courts, crier-law clerks, appointment.* AN ACT To authorize the appointment of crier-law clerks by district judges	Oct. 21, 1965	1012
89-282	*D.C., police and firemen, overtime pay.* AN ACT To authorize compensation for overtime work performed by officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, the United States Park Police force, and the White House Police force, and for other purposes	Oct. 21, 1965	1013
89-283	*Automotive Products Trade Act of 1965.* AN ACT To provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada, and for other purposes	Oct. 21, 1965	1016

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89-284	*HemisFair 1968 Exposition, Texas.* AN ACT To provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Texas, in 1968, and for other purposes	Oct. 22, 1965	1026
89-285	*Highway Beautification Act of 1965.* AN ACT To provide for scenic development and road beautification of the Federal-aid highway systems	Oct. 22, 1965	1028
89-286	*Service Contract Act of 1965.* AN ACT To provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, and for other purposes	Oct. 22, 1965	1034
89-287	*National Vocational Student Loan Insurance Act of 1965.* AN ACT To establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend post-secondary business, trade, technical, and other vocational schools	Oct. 22, 1965	1037
89-288	*Armed Forces; Surgeons General, rank.* AN ACT To amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as Surgeons General	Oct. 22, 1965	1050
89-289	*Securities Act of 1933, amendment.* AN ACT To amend the Securities Act of 1933 with respect to certain registration fees	Oct. 22, 1965	1051
89-290	*Health Professions Educational Assistance Amendments of 1965.* AN ACT To amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that Act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that Act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes	Oct. 22, 1965	1052
89-291	*Medical Library Assistance Act of 1965.* AN ACT To amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities	Oct. 22, 1965	1059
89-292	*Southern Nevada water project.* AN ACT To authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes	Oct. 22, 1965	1068
89-293	*Roger Williams National Memorial, R.I.* AN ACT To provide for the establishment of the Roger Williams National Memorial in the city of Providence, Rhode Island, and for other purposes	Oct. 22, 1965	1069
89-294	*National Parkinson Week.* JOINT RESOLUTION To authorize the President to proclaim the week beginning October 25, 1965, as National Parkinson Week	Oct. 23, 1965	1070
89-295	*United American Veterans of the United States of America, Inc.* AN ACT Providing for the extension of patent numbered D-119,187	Oct. 23, 1965	1070
89-296	*Ryukyu Islands.* JOINT RESOLUTION To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952	Oct. 27, 1965	1071
89-297	*Copyright fees, increase.* AN ACT To amend title 17, United States Code, with relation to the fees to be charged	Oct. 27, 1965	1072
89-298	*Public works projects, construction and repair.* AN ACT Authorizing the construction repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes	Oct. 27, 1965	1073
89-299	*Public Works Appropriation Act, 1966.* 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 Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, the Delaware River Basin Commission, and the Interoceanic Canal Commission, for the fiscal year ending June 30, 1966, and for other purposes	Oct. 28, 1965	1096

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89-300	*Veterans Administration, tort claims.* AN ACT To amend title 38 of the United States Code to authorize the administrative settlement of tort claims arising in foreign countries, and for other purposes	Oct. 28, 1965	1110
89-301	*Federal Employees Salary Act of 1965.* AN ACT To adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes	Oct. 29, 1965	1111
89-302	*Marine biological research laboratory, California.* 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	Oct. 30, 1965	1124
89-303	*Lumber; tariff filings, requirements.* AN ACT To amend the requirements relating to lumber under the Shipping Act, 1916	Oct. 30, 1965	1124
89-304	*Anadromous fish.* AN ACT To authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, and for other purposes	Oct. 30, 1965	1125
89-305	*Franklin Delano Roosevelt Memorial Commission.* AN ACT To increase the appropriation authorization for the Franklin Delano Roosevelt Memorial Commission, and for other purposes	Oct. 30, 1965	1126
89-306	*Automatic data processing equipment.* AN ACT To provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies	Oct. 30, 1965	1127
89-307	*St. Augustine Quadricentennial Commission.* AN ACT To amend the joint resolution entitled "Joint resolution to establish the Saint Augustine Quadricentennial Commission, and for other purposes", approved August 14, 1962 (76 Stat. 386), to provide that eight members of such Commission shall be appointed by the President, and that such Commission may continue in existence until December 31, 1966	Oct. 30, 1965	1129
89-308	*Foreign Service Annuity Adjustment Act of 1965.* AN ACT To provide for adjustments in annuities under the Foreign Service retirement and disability system	Oct. 31, 1965	1129
89-309	*Supplemental Appropriation Act, 1966.* AN ACT Making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes	Oct. 31, 1965	1133
89-310	*Graphite, etc., disposal.* AN ACT To authorize the disposal of graphite, quartz crystals, and lump steatite talc from the national stockpile or the supplemental stockpile, or both	Oct. 31, 1965	1153
89-311	*Veterans; disability compensation, increase.* AN ACT To amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes	Oct. 31, 1965	1154
89-312	*Conn.-R.I.-Vt. bus and motor fuels taxation compact.* AN ACT To give the consent of Congress to the States of Connecticut, Rhode Island, and Vermont to become parties to title II of the Compact on Taxation of Motor Fuels Consumed by Interstate Buses and the Agreement relating to Bus Taxation Proration and Reciprocity	Nov. 1, 1965	1157
89-313	*Schools, construction in disaster areas.* AN ACT To amend Public Laws 815 and 874, Eighty-first Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes	Nov. 1, 1965	1158
89-314	*Civil service retirement annuities, increase, extension.* AN ACT To amend section 18 of the Civil Service Retirement Act, as amended	Nov. 1, 1965	1162
89-315	*Armed Forces, mailing privileges.* AN ACT To amend title 39, United States Code, to provide certain mailing privileges with respect to members of the United States Armed Forces, and for other purposes	Nov. 1, 1965	1163

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89-316	*Department of Agriculture and Related Agencies Appropriation Act, 1966.* AN ACT Making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes	Nov. 2, 1965	1165
89-317	*D.C., transfer of U.S. real property.* JOINT RESOLUTION To authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from the United States to the District of Columbia Redevelopment Land Agency title to certain real property in said District	Nov. 2, 1965	1180
89-318	*President John F. Kennedy, assassination evidence.* AN ACT Providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy	Nov. 2, 1965	1185
89-319	*U.S. District Court, Clinton, N.C.* AN ACT To amend section 113(a) of title 28, United States Code, to provide that Federal District Court for the Eastern District of North Carolina shall be held at Clinton	Nov. 2, 1965	1186
89-320	*Doctor Robert H. Goddard Memorial.* JOINT RESOLUTION Providing for the erection of a memorial to the late Doctor Robert H. Goddard, the father of rocketry	Nov. 3, 1965	1186
89-321	*Food and Agriculture Act of 1965.* AN ACT To maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes	Nov. 3, 1965	1187
89-322	*Zinc, disposal.* AN ACT To authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both	Nov. 4, 1965	1213
89-323	*Nickel, disposal.* AN ACT To authorize the disposal, without regard to the prescribed six-month waiting period, of approximately two hundred million pounds of nickel from the national stockpile	Nov. 5, 1965	1213
89-324	*Naval vessels, loan authorization.* AN ACT To authorize the loan of naval vessels to friendly foreign countries, and for other purposes	Nov. 5, 1965	1214
89-325	*Father Flanagan's Boys' Home, D.C. memorial.* JOINT RESOLUTION Authorizing Father Flanagan's Boys' Home to erect a memorial in the District of Columbia or its environs	Nov. 7, 1965	1215
89-326	*D.C., insanitary buildings, condemnation.* AN ACT To amend the Act entitled "An Act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes", approved May 1, 1906, as amended	Nov. 7, 1965	1216
89-327	*Water Conservation Month.* JOINT RESOLUTION To authorize the President to proclaim the month of November as "Water Conservation Month"	Nov. 7, 1965	1217
89-328	*Burt County Bridge Commission, Nebraska.* AN ACT To authorize the Burt County Bridge Commission, a public body politic and corporate in the county of Burt and State of Nebraska, to refund the outstanding revenue bonds of said Burt County Bridge Commission heretofore issued to finance the cost of the construction of a bridge, together with the necessary approaches and appurtenances therefor, from a point located in the city of Decatur, Burt County, Nebraska, across the Missouri River to a point located in Monona County, Iowa	Nov. 7, 1965	1218
89-329	*Higher Education Act of 1965.* AN ACT To strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education	Nov. 8, 1965	1219
89-330	*Agricultural Marketing Agreement Act of 1937; paid advertising.* AN ACT To amend the Agricultural Marketing Agreement Act of 1937 to permit marketing orders applicable to various fruits and vegetables to provide for paid advertising	Nov. 8, 1965	1270
89-331	*Sugar Act Amendments of 1965.* AN ACT To amend and extend the provisions of the Sugar Act of 1948, as amended	Nov. 8, 1965	1271
89-332	*Federal agencies, representation rights.* AN ACT To provide for the right of persons to be represented in matters before Federal agencies	Nov. 8, 1965	1281

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89-333	*Vocational Rehabilitation Act Amendments of 1965.* AN ACT To amend the Vocational Rehabilitation Act to assist in providing more flexibility in the financing and administration of State rehabilitation programs, and to assist in the expansion and improvement of services and facilities provided under such programs, particularly for the mentally retarded and other groups presenting special vocational rehabilitation problems, and for other purposes	Nov. 8, 1965	1282
89-334	*Small Business Act, revolving fund.* AN ACT To amend the Small Business Act	Nov. 8, 1965	1294
89-335	*Lexington, Mass., display of U.S. flag.* AN ACT To provide that the flag of the United States of America may be flown for twenty-four hours of each day in Lexington, Massachusetts	Nov. 8, 1965	1294
89-336	*Whiskeytown-Shasta-Trinity National Recreation Area, Calif.* AN ACT To establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes	Nov. 8, 1965	1295
89-337	*Watershed Protection and Flood Prevention Act, Amendment.* AN ACT To amend the Watershed Protection and Flood Prevention Act, as amended	Nov. 8, 1965	1300
89-338	*David D. Terry Lake, designation.* AN ACT To name the authorized lock and dam numbered 6 on the Arkansas River in Arkansas and the lake created thereby for David D. Terry	Nov. 8, 1965	1300
89-339	*Southeast Hurricane Disaster Relief Act of 1965.* AN ACT To provide assistance to the States of Florida, Louisiana, and Mississippi for the reconstruction of areas damaged by the recent hurricane	Nov. 8, 1965	1301
89-340	*89th Congress, second session.* JOINT RESOLUTION Establishing that the second regular session of the Eighty-ninth Congress convene at noon on Monday, January 10, 1966	Nov. 8, 1965	1302
89-341	*D.C., physicians.* AN ACT To relieve physicians of liability for negligent medical treatment at the scene of an accident in the District of Columbia	Nov. 8, 1965	1302
89-342	*House of Representatives, office equipment.* AN ACT To amend the joint resolution of March 25, 1953, relating to electrical and mechanical office equipment for the use of Members, officers, and committees of the House of Representatives, to remove certain limitations	Nov. 8, 1965	1302
89-343	*Federal property and services, procurement procedures.* AN ACT To amend the Federal Property and Administrative Services Act of 1949, to make title III thereof directly applicable to procurement of property and services by executive agencies, and for other purposes	Nov. 8, 1965	1303
89-344	*Federal agencies, sidewalk repair, etc.* AN ACT To amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor	Nov. 8, 1965	1304
89-345	*Cheyenne, Wyo., conveyance.* AN ACT Authorizing the Administrator of Veterans' Affairs to convey certain property to the city of Cheyenne, Wyoming	Nov. 8, 1965	1304
89-346	*Merchant vessels, mortgage bonds.* AN ACT To amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920	Nov. 8, 1965	1305
89-347	*D.C., criminal laws.* AN ACT To amend certain criminal laws applicable to the District of Columbia, and for other purposes	Nov. 8, 1965	1307
89-348	*Government agencies, elimination of certain reporting requirements.* AN ACT to discontinue or modify certain reporting requirements of law	Nov. 8, 1965	1310
89-349	*Veterans; war orphans, educational assistance.* AN ACT To amend title 38 of the United States Code to entitle the children of certain veterans who served in the Armed Forces prior to September 16, 1940, to benefit under the war orphans educational assistance program	Nov. 8, 1965	1313

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Public Laws

ENACTED DURING THE

FIRST SESSION OF THE EIGHTY-NINTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Monday, January 4, 1965, and adjourned sine die on Saturday, October 23, 1965. LYNDON B. JOHNSON, *President;* HUBERT H. HUMPHREY, *Vice President, on and after January 20, 1965.* JOHN W. MCCORMACK, *Speaker of the House of Representatives.*

Public Law 89-1

JOINT RESOLUTION

January 13, 1965
[S. J. Res. 3]

Extending the date for transmission of the Budget and the Economic Report.

Budget and Economic Report. Time extension. 64 Stat. 832.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 201 of the Act of June 10, 1922, as amended (31 U.S.C. 11), the President shall transmit to the Congress not later than January 25, 1965, the Budget for the Fiscal Year 1966; and (b) 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 28, 1965, the Economic Report.

70 Stat. 289.

Approved January 13, 1965.

Public Law 89-2

February 11, 1965
[H. J. Res. 234]

JOINT RESOLUTION

Making supplemental appropriations for the fiscal year ending June 30, 1965, for certain activities of the Department of Agriculture, and for other purposes.

Supplemental appropriations, 1965.

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, for the fiscal year ending June 30, 1965, namely:

DEPARTMENT OF AGRICULTURE

COMMODITY CREDIT CORPORATION

REIMBURSEMENT FOR NET REALIZED LOSSES

Agricultural research stations.
75 Stat. 391.
78 Stat. 874.

For an additional amount to reimburse the Commodity Credit Corporation for unreimbursed net realized losses sustained during the fiscal year 1963, pursuant to the Act of August 17, 1961 (15 U.S.C. 713a-11, 713a-12), $1,100,000,000: *Provided*, That none of the funds appropriated under Public Law 88-573, approved September 2, 1964, shall be used prior to May 1, 1965 to formulate or administer a program to eliminate agricultural research stations or lines of research.

PUBLIC LAW 480

68 Stat. 454;
73 Stat. 610.

United Arab Republic, agricultural exports.

For an additional amount for expenses during the fiscal year 1965, 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, 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, $250,000,000; and (2) long-term supply contracts pursuant to title IV of said Act, $200,000,000: *Provided*, That no part of this appropriation shall be used during the fiscal year 1965 to finance the export of any agricultural commodity to the United Arab Republic under the provisions of title I of such Act, except when such exports are necessary to carry out the Sales Agreement entered into October 8, 1962, as amended, and if the President determines that the financing of such exports is in the national interest.

INTERNATIONAL WHEAT AGREEMENT

63 Stat. 945.

For an additional amount for expenses during fiscal year 1965 and unrecovered prior years' costs, including interest thereon, under the International Wheat Agreement Act of 1949, as amended (7 U.S.C. 1641-1642), $50,000,000, to remain available until expended.

VETERANS ADMINISTRATION

Hospitals and facilities.

No funds heretofore appropriated to the Veterans Administration shall be utilized prior to May 1, 1965 for the purpose of implementing any order or directive of the Administrator of the Veterans Administration with respect to the closing or relocating of any hospital or facility owned or operated by the Veterans Administration or with respect to the withdrawing, transferring or reducing of services heretofore made available to veterans.

Approved February 11, 1965.

Public Law 89-3

AN ACT

March 3, 1965
[H. R. 3818]

To eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the third paragraph of section 16 of the Federal Reserve Act, as amended (12 U.S.C. 413), is further amended by striking out "reserves in gold certificates of not less than 25 per centum against its deposits and".

Federal Reserve banks.
Gold certificates.
59 Stat. 237.

SEC. 2. The eighteenth paragraph of section 16 of the Federal Reserve Act, as amended (12 U.S.C. 467), is further amended by substituting a period for the comma after the word "notes" and striking out the remainder of the paragraph.

48 Stat. 340.

Approved March 3, 1965.

Public Law 89-4

AN ACT

March 9, 1965
[S. 3]

To provide public works and economic development programs and the planning and coordination needed to assist in development of the Appalachian region.

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 "Appalachian Regional Development Act of 1965".

Appalachian Regional Development Act of 1965.

FINDINGS AND STATEMENT OF PURPOSE

SEC. 2. The Congress hereby finds and declares that the Appalachian region of the United States, while abundant in natural resources and rich in potential, lags behind the rest of the Nation in its economic growth and that its people have not shared properly in the Nation's prosperity. The region's uneven past development, with its historical reliance on a few basic industries and a marginal agriculture, has failed to provide the economic base that is a vital prerequisite for vigorous, self-sustaining growth. The State and local governments and the people of the region understand their problems and have been working and will continue to work purposefully toward their solution. The Congress recognizes the comprehensive report of the President's Appalachian Regional Commission documenting these findings and concludes that regionwide development is feasible, desirable, and urgently needed. It is, therefore, the purpose of this Act to assist the region in meeting its special problems, to promote its economic development, and to establish a framework for joint Federal and State efforts toward providing the basic facilities essential to its growth and attacking its common problems and meeting its common needs on a coordinated and concerted regional basis. The public investments made in the region under this Act shall be concentrated in areas where

there is a significant potential for future growth, and where the expected return on public dollars invested will be the greatest. The States will be responsible for recommending local and State projects, within their borders, which will receive assistance under this Act. As the region obtains the needed physical and transportation facilities and develops its human resources, the Congress expects that the region will generate a diversified industry, and that the region will then be able to support itself, through the workings of a strengthened free enterprise economy.

TITLE I—THE APPALACHIAN REGIONAL COMMISSION

MEMBERSHIP AND VOTING

SEC. 101. (a) There is hereby established an Appalachian Regional Commission (hereinafter referred to as the "Commission") which shall be composed of one Federal member, hereinafter referred to as the "Federal Cochairman", appointed by the President by and with the advice and consent of the Senate, and one member from each participating State in the Appalachian region. The Federal Cochairman shall be one of the two Cochairmen of the Commission. Each State member may be the Governor, or his designee, or such other person as may be provided by the law of the State which he represents. The State members of the Commission shall elect a Cochairman of the Commission from among their number.

(b) Except as provided in section 105, decisions by the Commission shall require the affirmative vote of the Federal Cochairman and of a majority of the State members (exclusive of members representing States delinquent under section 105). In matters coming before the Commission, the Federal Cochairman shall, to the extent practicable, consult with the Federal departments and agencies having an interest in the subject matter.

(c) Each State member shall have an alternate, appointed by the Governor or as otherwise may be provided by the law of the State which he represents. The President, by and with the advice and consent of the Senate, shall appoint an alternate for the Federal Cochairman. An alternate shall vote in the event of the absence, death, disability, removal, or resignation of the State or Federal representative for which he is an alternate.

(d) The Federal Cochairman shall be compensated by the Federal Government at level IV of the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964. His alternate shall be compensated by the Federal Government at not to exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended, and when not actively serving as an alternate for the Federal Cochairman shall perform such functions and duties as are delegated to him by the Federal Cochairman. Each State member and his alternate shall be compensated by the State which they represent at the rate established by the law of such State.

78 Stat. 417.
5 USC 2211.

78 Stat. 400.
5 USC 1113.

FUNCTIONS OF THE COMMISSION

SEC. 102. In carrying out the purposes of this Act, the Commission shall—

(1) develop, on a continuing basis, comprehensive and coordinated plans and programs and establish priorities thereunder, giving due consideration to other Federal, State, and local planning in the region;

(2) conduct and sponsor investigations, research, and studies, including an inventory and analysis of the resources of the region, and, in cooperation with Federal, State, and local agencies, sponsor demonstration projects designed to foster regional productivity and growth;

(3) review and study, in cooperation with the agency involved, Federal, State, and local public and private programs and, where appropriate, recommend modifications or additions which will increase their effectiveness in the region;

(4) formulate and recommend, where appropriate, interstate compacts and other forms of interstate cooperation, and work with State and local agencies in developing appropriate model legislation;

(5) encourage the formation of local development districts;

(6) encourage private investment in industrial, commercial, and recreational projects;

(7) serve as a focal point and coordinating unit for Appalachian programs;

(8) provide a forum for consideration of problems of the region and proposed solutions and establish and utilize, as appropriate, citizens and special advisory councils and public conferences; and

(9) advise the Secretary of Commerce on applications for grants for administrative expenses to local development districts.

RECOMENDATIONS

SEC. 103. The Commission may, from time to time, make recommendations to the President and to the State Governors and appropriate local officials with respect to—

(1) the expenditure of funds by Federal, State, and local departments and agencies in the region in the fields of natural resources, agriculture, education, training, health and welfare, and other fields related to the purposes of this Act; and

(2) such additional Federal, State, and local legislation or administrative actions as the Commission deems necessary to further the purposes of this Act.

LIAISON BETWEEN FEDERAL GOVERNMENT AND THE COMMISSION

SEC. 104. The President shall provide effective and continuing liaison between the Federal Government and the Commission and a coordinated review within the Federal Government of the plans and recommendations submitted by the Commission pursuant to sections 102 and 103.

ADMINISTRATIVE EXPENSES OF THE COMMISSION

SEC. 105. (a) For the period ending on June 30 of the second full Federal fiscal year following the date of enactment of this Act, the administrative expenses of the Commission shall be paid by the Federal Government. Thereafter, such expenses shall be paid equally by the Federal Government and the States in the region. The share to be paid by each State shall be determined by the Commission. The Federal Cochairman shall not participate or vote in such determination. No assistance authorized by this Act shall be furnished to any State or to any political subdivision or any resident of any State, nor shall the State member of the Commission participate or vote in any determination by the Commission while such State is delinquent in payment of its share of such expenses.

(b) Not to exceed $2,200,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

ADMINISTRATIVE POWERS OF COMMISSION

SEC. 106. To carry out its duties under this Act, the Commission is authorized to—

(1) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of its business and the performance of its functions.

(2) appoint and fix the compensation of an executive director and such other personnel as may be necessary to enable the Commission to carry out its functions, except that such compensation shall not exceed the salary of the alternate to the Federal Cochairman on the Commission as provided in section 101. No member, alternate, officer, or employee of the Commission, other than the Federal Cochairman on the Commission, his staff, and his alternate and Federal employees detailed to the Commission under paragraph (3) shall be deemed a Federal employee for any purpose.

(3) request the head of any Federal department or agency (who is hereby so authorized) to detail to temporary duty with the Commission such personnel within his administrative jurisdiction as the Commission may need for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(4) arrange for the services of personnel from any State or local government or any subdivision or agency thereof, or any intergovernmental agency.

(5) make arrangements, including contracts, with any participating State government for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for, or continue in, another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel. The Civil Service Commission of the United States is authorized to contract with the Commission for continued coverage of Commission employees, who at date of Commission employment are Federal employees, in the retirement program and other employee benefit programs of the Federal Government.

(6) accept, use, and dispose of gifts or donations of services or property, real, personal, or mixed, tangible or intangible.

(7) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation.

(8) maintain a temporary office in the District of Columbia and establish a permanent office at such a central and appropriate location as it may select and field offices at such other places as it may deem appropriate.

(9) take such other actions and incur such other expenses as may be necessary or appropriate.

INFORMATION

SEC. 107. In order to obtain information needed to carry out its duties, the Commission shall—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable, a Cochairman of the Commission, or any member of the Commission designated by the Commission for the purpose, being hereby authorized to administer oaths when it is determined by the Commission that testimony shall be taken or evidence received under oath;

(2) arrange for the head of any Federal, State, or local department or agency (who is hereby so authorized to the extent not otherwise prohibited by law) to furnish to the Commission such information as may be available to or procurable by such department or agency; and

(3) keep accurate and complete records of its doings and transactions which shall be made available for public inspection, and for the purpose of audit and examination by the Comptroller General or his duly authorized representatives.

PERSONAL FINANCIAL INTERESTS

SEC. 108. (a) Except as permitted by subsection (b) hereof, no State member or alternate and no officer or employee of the Commission shall participate personally and substantially as member, alternate, officer, or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization (other than a State or political subdivision thereof) in

which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest. Any person who shall violate the provisions of this subsection shall be fined not more than $10,000, or imprisoned not more than two years, or both.

(b) Subsection (a) hereof shall not apply if the State member, alternate, officer, or employee first advises the Commission of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by the Commission that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Commission may expect from such State member, alternate, officer, or employee.

(c) No State member or alternate shall receive any salary, or any contribution to or supplementation of salary for his services on the Commission from any source other than his State. No person detailed to serve the Commission under authority of paragraph (4) of section 106 shall receive any salary or any contribution to or supplementation of salary for his services on the Commission from any source other than the State, local, or intergovernmental department or agency from which he was detailed or from the Commission. Any person who shall violate the provisions of this subsection shall be fined not more than $5,000, or imprisoned not more than one year, or both.

Conflict-of-interests.

(d) Notwithstanding any other subsection of this section, the Federal Cochairman and his alternate on the Commission and any Federal officers or employees detailed to duty with it pursuant to paragraph (3) of section 106 shall not be subject to any such subsection but shall remain subject to sections 202 through 209 of title 18, United States Code.

76 Stat. 1121.

(e) The Commission may, in its discretion, declare void and rescind any contract, loan, or grant of or by the Commission in relation to which it finds that there has been a violation of subsection (a) or (c) of this section, or any of the provisions of sections 202 through 209, title 18, United States Code.

TITLE II—SPECIAL APPALACHIAN PROGRAMS

PART A—NEW PROGRAMS

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

SEC. 201. (a) The Secretary of Commerce (hereafter in this section referred to as the "Secretary") is authorized to assist in the construction of an Appalachian development highway system serving the Appalachian region (the length of which shall not exceed two thousand three hundred and fifty miles. In addition thereto, there are authorized to be constructed not in excess of one thousand miles of local access roads, that will serve specific recreational, residential, commercial, industrial, or other like facilities or will facilitate a school consolidation program). The system, in conjunction with the Interstate System and other Federal-aid highways in the region will provide a highway system which will open up an area or areas with a developmental potential where commerce and communication have been inhibited by lack of adequate access. The provisions of title 23, United States Code, that are applicable to Federal-aid primary highways, and which the Secretary determines are not inconsistent

72 Stat. 885.

with this Act, shall apply to the Appalachian development highway system, and the local access roads.

Submission of recommendations.

(b) As soon as feasible, the Commission shall submit to the Secretary its recommendations with respect to (1) the general corridor location and termini of the development highways, (2) the designation of local access roads to be constructed, (3) priorities for construction of the local access roads and of the major segments of the development highways, and (4) other criteria for the program authorized by this section. Before any State member participates in or votes on such recommendations, he shall have obtained the recommendations of the State highway department of the State which he represents.

Approval authority.

(c) The Secretary shall have authority to approve in whole or in part such recommendations or to require modifications or revisions thereof. In no event shall the Secretary approve any recommendations for any construction which would require for its completion the expenditure of Federal funds (other than funds available under title 23, United States Code) in excess of the appropriation authorizations in subsection (g). On its completion each development highway not already on the Federal-aid primary system shall be added to such system and shall be required to be maintained by the State.

72 Stat. 885.

(d) In the construction of highways and roads authorized under this section, the States may give special preference to the use of mineral resource materials indigenous to the Appalachian region.

Use of coal derivatives.

(e) For the purposes of research and development in the use of coal and coal products in highway construction and maintenance, the Secretary is authorized to require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not to exceed 10 per centum of the roads authorized under this Act.

Federal assistance, limitation.

(f) Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs of such project, unless the Secretary determines, pursuant to the recommendation of the Commission, that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall such Federal assistance exceed 70 per centum of such costs.

Appropriation.

(g) To carry out this section, there is hereby authorized to be appropriated $840,000,000.

DEMONSTRATION HEALTH FACILITIES

SEC. 202. (a) In order to demonstrate the value of adequate health and medical facilities to the economic development of the region, the Secretary of Health, Education, and Welfare is authorized to make grants for the construction, equipment, and operation of multicounty demonstration health facilities, including hospitals, regional health diagnostic and treatment centers, and other facilities necessary to health. Grants for such construction (including initial equipment) shall be made in accordance with the applicable provisions of title VI of the Public Health Service Act (42 U.S.C. 291–291z) and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282), without regard to any provisions therein relating to appropriation authorization ceiling or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

78 Stat. 447.

42 USC 2661 note.

(b) No grant under this section for construction (including initial equipment) shall exceed 80 per centum of the cost of the project. Not to exceed $41,000,000 of the funds authorized in section 401 shall be available for construction grants under this section.

Operating grants, limitation.

(c) Grants under this section for operation (including equipment other than initial equipment) of a project may be made up to 100 per centum of the costs thereof for the two-year period beginning on the first day such project is in operation as a health facility. For the next three years of operations such grants shall not exceed 50 per centum of such costs. No grants for operation of a project shall be made after five years following the commencement of such operations. Not to exceed $28,000,000 of the funds authorized in section 401 of this Act shall be available for operating grants under this section.

LAND STABILIZATION, CONSERVATION, AND EROSION CONTROL

Conservation agreements.

SEC. 203. (a) In order to provide for the control and prevention of erosion and sediment damages in the Appalachian region and to promote the conservation and development of the soil and water resources of the region, the Secretary of Agriculture is authorized to enter into agreements of not more than ten years with landowners, operators, and occupiers, individually or collectively, in the Appalachian region determined by him to have control for the period of the agreement of the lands described therein, providing for land stabilization, erosion and sediment control, and reclamation through changes in land use, and conservation treatment including the establishment of practices and measures for the conservation and development of soil, water, woodland, wildlife, and recreation resources.

(b) The landowner, operator, or occupier shall furnish to the Secretary of Agriculture a conservation and development plan setting forth the appropriate and safe land uses and conservation treatment mutually agreed by the Secretary and the landowner operator, or occupier to be needed on the lands for which the plan was prepared.

(c) Such plan shall be incorporated in an agreement under which the landowner, operator, or occupier shall agree with the Secretary of Agriculture to carry out the land uses and conservation treatment provided for in such plan on the lands described in the agreement in accordance with the terms and conditions thereof.

(d) In return for such agreement by the landowner, operator, or occupier the Secretary of Agriculture shall be authorized to furnish financial and other assistance to such landowner, operator, or occupier in such amounts and subject to such conditions as the Secretary determines are appropriate and in the public interest for the carrying out of the land uses and conservation treatment set forth in the agreement: *Provided*, That grants hereunder shall not exceed 80 per centum of the cost of carrying out such land uses and conservation treatment on fifty acres of land occupied by such owner, operator, or occupier.

Modification or termination of agreements.

(e) The Secretary of Agriculture may terminate any agreement with a landowner, operator, or occupier by mutual agreement if the Secretary determines that such termination would be in the public interest, and may agree to such modification of agreements previously entered into hereunder as he deems desirable to carry out the purposes of this section or to facilitate the practical administration of the program authorized herein.

Allotment histories, preservation.

(f) Notwithstanding any other provision of law, the Secretary of Agriculture, to the extent he deems it desirable to carry out the purposes of this section, may provide in any agreement hereunder for (1) preservation for a period not to exceed the period covered by the agreement and an equal period thereafter of the cropland, crop acreage, and allotment history applicable to land covered by the agreement for the purpose of any Federal program under which such history is used as a basis for an allotment or other limitation on the production of such crop; or (2) surrender of any such history and allotments.

(g) The Secretary of Agriculture shall be authorized to issue such rules and regulations as he determines are necessary to carry out the provisions of this section.

(h) In carrying out the provisions of this section, the Secretary of Agriculture shall utilize the services of the Soil Conservation Service, and the State and local committees provided for in section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), and is authorized to utilize the facilities, services, and authorities of the Commodity Credit Corporation. The Corporation shall not make any expenditures to carry out the provisions of this subsection unless funds specifically appropriated for such purpose have been transferred to it. 52 Stat. 31. 16 USC 590h.

(i) Not to exceed $17,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section. Limitation.

TIMBER DEVELOPMENT ORGANIZATIONS

SEC. 204. (a) In order that the region shall more fully benefit from the timber stands that are one of its prime assets, the Secretary of Agriculture is authorized to—

(1) provide technical assistance in the organization and operation, under State law, of private timber development organizations having as their objective the carrying out of timber development programs to improve timber productivity and quality, and increase returns to landowners through establishment of private nonprofit corporations, which on a self-supporting basis may provide (A) continuity of management, good cutting practices, and marketing services, (B) physical consolidation of small holdings or administrative consolidation for efficient management under long-term agreement, (C) management of forest lands, donated to the timber development organizations for demonstrating good forest management, on a profitable and taxpaying basis, and (D) establishment of a permanent fund for perpetuation of the work of the corporations to be composed of donations, real or personal, for educational purposes.

(2) provide not more than one-half of the initial capital requirements of such timber development organizations through loans under the applicable provisions of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1926 et seq.). Such loans shall not be used for the construction or acquisition of facilities for manufacturing, processing, or marketing forest products, or for physical consolidation of small timber holdings authorized by (1)(B) above except for the establishment of demonstration units. 75 Stat. 307.

(b) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section. Limitation.

MINING AREA RESTORATION

SEC. 205. (a) In order to further the economic development of the region by rehabilitating areas presently damaged by deleterious mining practices, the Secretary of the Interior is authorized to—

(1) make financial contributions to States in the region to seal and fill voids in abandoned coal mines, and to reclaim and rehabilitate existing strip and surface mine areas, in accordance with provisions of the Act of July 15, 1955 (30 U.S.C. 571 et seq.), to the extent applicable, without regard to section 2(b) thereof (30 U.S.C. 572(b)) or to any provisions therein limiting assistance to anthracite coal formation, or to the Commonwealth of Pennsylvania. Grants under this paragraph shall be made 69 Stat. 352. 76 Stat. 934.

wholly out of funds specifically appropriated for the purposes of carrying out this Act.

(2) plan and execute projects for extinguishing underground and outcrop mine fires in the region in accordance with the provisions of the Act of August 31, 1954 (30 U.S.C. 551 et seq.), without regard to any provisions therein relating to annual appropriation authorization ceilings. Grants under this paragraph shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act.

68 Stat. 1009.

(3) expand and accelerate fish and wildlife restoration projects in the region in accordance with the provisions of the Act of September 2, 1937 (16 U.S.C. 669 et seq.), and the Act of August 9, 1950 (16 U.S.C. 777 et seq.), without regard to any provisions therein relating to apportionments among the States and to limitations on the availability of funds. The expenses of projects under this paragraph shall be paid solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the apportionments among the States pursuant to any other provisions of law.

50 Stat. 917.
64 Stat. 430.

Federal share of costs.

(b) For the fiscal years 1966 and 1967, notwithstanding any other provision of law, the Federal share of mining area restoration projects carried out under subsection (a) of this section and conducted on lands other than federally owned lands shall not exceed 75 per centum of the total cost thereof.

Strip and surface mining areas, study and survey.

(c) The Congress hereby declares its intent to provide for a study of a comprehensive, long-range program for the purpose of reclaiming and rehabilitating strip and surface mining areas in the United States. To this general end, the Secretary of the Interior shall, in full cooperation with the Secretary of Agriculture, the Tennessee Valley Authority, and other appropriate Federal, State, and local departments and agencies, and with the Commission, make a survey and study of strip and surface mining operations and their effects in the United States. The Secretary of the Interior shall submit to the President his recommendations for a long-range comprehensive program for reclamation and rehabilitation of strip and surface mining areas in the United States and for the policies under which the program should be conducted, and the President shall submit these to the Congress, together with his recommendations, not later than July 1, 1967. By July 1, 1966, the Secretary shall make an interim report to the Commission summarizing his findings to that date on those aspects of strip and surface mining operations in the region that are most urgently in need of attention. Such study and recommendations shall include, but not be limited to, a consideration of the following matters—

Report to President for transmittal to Congress.

(1) the nature and extent of strip and surface mining operations in the United States and the conditions resulting therefrom;

(2) the ownership of the real property involved in strip and surface mining operations;

(3) the effectiveness of past action by States or local units of government to remedy the adverse effects of strip and surface mining operation by financial or regulatory measures, and requirements for appropriate State legislation, including adequate enforcement thereof, to provide for proper reclamation and rehabilitation of areas which may be strip and surface mined in the future;

(4) the public interest in and public benefits which may result from reclamation, rehabilitation, and appropriate development and use of areas subjected to strip and surface mining operations,

including (A) economic development growth, (B) public recreation, (C) public health and safety, (D) water pollution, stream sedimentation, erosion control, and flood control, (E) highway programs, (F) fish and wildlife protection and restoration, (G) scenic values, and (H) forestry and agriculture;

(5) the appropriate roles of Federal, State, and private interests in the reclamation and rehabilitation of strip and surface mining areas and the relative costs to be borne by each, including specific consideration of (A) the extent, if any, to which strip and surface mine operators are unable to bear the cost of remedial action within the limits imposed by the economics of such mining activity, and (B) the extent to which the prospective value of lands and other natural resources, after remedial work has been completed, would be inadequate to justify the landowners doing the remedial work at their expense; and

(6) the objectives and the total overall costs of a program for accomplishing the reclamation and rehabilitation of existing strip and surface mining areas in the United States, giving adequate consideration to (A) the economic benefits in relation to costs, (B) the prevention of future devastation of reclaimed and rehabilitated areas, (C) the avoidance of unwarranted financial gain to private owners of improved property, and (D) the types of aid required to accomplish such reclamation and rehabilitation.

Limitation.

(d) Not to exceed $36,500,000 of the funds authorized in section 401 of this Act shall be available to carry out this section. No moneys authorized by this Act shall be expended for the purposes of reclaiming, improving, grading, seeding, or reforestation of strip-mined areas (except on lands owned by Federal, State, or local bodies of government) until authorized by law after completion of the study and report to the President as provided in subsection (c) of this section.

WATER RESOURCE SURVEY

SEC. 206. (a) The Secretary of the Army is hereby authorized and directed to prepare a comprehensive plan for the development and efficient utilization of the water and related resources of the Appalachian region, giving special attention to the need for an increase in the production of economic goods and services within the region as a means of expanding economic opportunities and thus enhancing the welfare of its people, which plan shall constitute an integral and harmonious component of the regional economic development program authorized by this Act.

Flood control, etc.

(b) This plan may recommend measures for the control of floods, the regulation of the rivers to enhance their value as sources of water supply for industrial and municipal development, the generation of hydroelectric power, the prevention of water pollution by drainage from mines, the development and enhancement of the recreational potentials of the region, the improvement of the rivers for navigation where this would further industrial development at less cost than would the improvement of other modes of transportation, the conservation and efficient utilization of the land resource, and such other measures as may be found necessary to achieve the objectives of this section.

(c) To insure that the plan prepared by the Secretary of the Army shall constitute a harmonious component of the regional program, he shall consult with the Commission and the following: the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Secretary of the Interior, the Tennessee Valley Authority, and the Federal Power Commission.

(d) The plan prepared pursuant to this section shall be submitted to the Commission. The Commission shall submit the plan to the President with a statement of its views, and the President shall submit the plan to the Congress with his recommendations not later than December 31, 1968.

Contract authority.

(e) The Federal agencies referred to in subsection (c) of this section are hereby authorized to assist the Secretary of the Army in the preparation of the plan authorized by this section, and the Secretary of the Army is authorized to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary to the preparation of this plan and on such terms as he may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation.

(f) The plan to be prepared by the Secretary of the Army pursuant to this section shall also be coordinated with all comprehensive river basin plans heretofore or hereafter developed by United States study commissions, interagency committees, or similar planning bodies, for those river systems draining the Appalachian region.

(g) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

PART B—SUPPLEMENTATIONS AND MODIFICATIONS OF EXISTING PROGRAMS

VOCATIONAL EDUCATION FACILITIES

SEC. 211. (a) In order to provide basic facilities to give the people of the region the training and education they need to obtain employment, the Secretary of Health, Education, and Welfare is authorized to make grants for construction of the school facilities needed for the provision of vocational education in areas of the region in which such education is not now adequately available. Such grants shall be made in accordance with the provisions of the Vocational Education Act of 1963 (77 Stat. 403), without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

20 USC 35 note.

(b) Not to exceed $16,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

SEWAGE TREATMENT WORKS

SEC. 212. (a) In order to provide facilities to assist in the prevention of pollution of the region's streams and to protect the health and welfare of its citizens, the Secretary of Health, Education, and Welfare is authorized to make grants for the construction of sewage treatment works in accordance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. 466 et seq.), without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States pursuant to any other provision of law.

70 Stat. 498; 75 Stat. 204.

(b) Not to exceed $6,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

AMENDMENTS TO HOUSING ACT OF 1954

SEC. 213. (a) Section 701(a) of the Housing Act of 1954 (40 U.S.C. 461(a)) is amended by striking the word "and" at the end of paragraph (7), by substituting for the period at the end of paragraph (8) the phrase "; and", and by adding a new paragraph (9) to read as follows:

73 Stat. 678; 78 Stat. 792, 793.

"(9) the Appalachian Regional Commission, established by the Appalachian Regional Development Act of 1965, for comprehensive planning for the Appalachian region as defined by section 403 of such Act."

(b) Section 701(b) of the Housing Act of 1954 (40 U.S.C. 461(b)), is amended by adding before the period at the end of the first sentence the following: ", to States participating in planning for Appalachian regional programs, for expenses incurred in the course of such planning, or to the Appalachian Regional Commission".

SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS

SEC. 214. (a) In order to enable the people, States, and local communities of the region, including local development districts, to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the Secretary of Commerce is authorized, pursuant to specific recommendations of the Commission approved by him and after consultation with the appropriate Federal officials, to allocate funds appropriated to carry out this section to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of such Federal grant-in-aid programs. Funds so allocated shall be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such project otherwise authorized by the applicable law. Funds shall be so allocated for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Such allocations shall be available without regard to any appropriation authorization ceilings in such Act.

(b) The Federal portion of such costs shall not be increased in excess of the percentages established by regulations promulgated by the Secretary of Commerce, and such regulations shall in no event authorize the Federal portion of such costs to exceed 80 per centum thereof.

"Federal grant-in-aid programs."

(c) The term "Federal grant-in-aid programs" as used in this section means those Federal grant-in-aid programs authorized by this Act for the construction or equipment of facilities, and all other Federal grant-in-aid programs authorized on or before the effective date of this Act by Acts other than this Act for the acquisition of land and the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; National Defense Education Act of 1958. The term shall not include (A) the program for the construction of the development highway system authorized by section 201

33 USC 466 note; 16 USC 1001 note; 42 USC 291; 20 USC 35 note, 351 note; 49 USC 1101 note; 47 USC 390-397; 20 USC 701 note; 16 USC 460 l-4 note; 20 USC 401 note.

of this Act or any other program relating to highway or road construction, or (B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act.

(d) Not to exceed $90,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

PART C—GENERAL PROVISIONS

MAINTENANCE OF EFFORT

SEC. 221. No State and no political subdivision of such State shall be eligible to receive benefits under this Act unless the aggregate expenditures of State funds, exclusive of Federal funds, for the benefit of the area within the State located in the region are 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 Act. In computing the average level of expenditure for its last two fiscal years, a State's past expenditure for participation in the National System of Interstate and Defense Highways shall not be included. The Commission shall recommend to the President or such Federal officer or officers as the President may designate, a lesser requirement when it finds that a substantial population decrease in that portion of a State which lies within the region would not justify a State expenditure equal to the average level of the last two years or when it finds that a State's average level of expenditure, within an individual program, has been disproportionate to the present need for that portion of the State which lies within the region.

CONSENT OF STATES

SEC. 222. Nothing contained in this Act shall be interpreted as requiring any State to engage in or accept any program under this Act without its consent.

PROGRAM IMPLEMENTATION

SEC. 223. A program and projects authorized under any section of this title shall not be implemented until (1) the Commission has consulted with the appropriate official or officials concerned with such program and projects as may be designated by the Governor or Governors of the State or States involved and has obtained the recommendations of such official or officials with respect to such program and projects and (2) plans with respect to such program and projects have been recommended by the Commission and have been submitted to and approved or modified by the President or such Federal officer or officers as the President may designate.

PROGRAM DEVELOPMENT CRITERIA

SEC. 224. (a) In developing recommendations on the programs and projects to be given assistance under this Act, and in establishing within those recommendations a priority ranking of the requests for assistance presented to the Commission, the Commission shall follow procedures that will insure consideration of the following factors:

(1) the relationship of the project or class of projects to overall regional development including its location in an area determined by the State have a significant potential for growth;

(2) the population and area to be served by the project or class of projects including the relative per capita income and the unemployment rates in the area;

(3) the relative financial resources available to the State or political subdivisions or instrumentalities thereof which seek to undertake the project;

(4) the importance of the project or class of projects in relation to other projects or classes of projects which may be in competition for the same funds;

(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic and social development of the area served by the project.

(b) No financial assistance shall be authorized under this Act to be used (1) in relocating any establishment or establishments from one area to another; (2) to finance the cost of industrial plants, commercial facilities, machinery, working capital, or other industrial facilities or to enable plant subcontractors to undertake work theretofore performed in another area by other subcontractors or contractors; (3) to finance the cost of facilities for the generation, transmission, or distribution of electric energy; or (4) to finance the cost of facilities for the production, transmission, or distribution of gas (natural, manufactured, or mixed).

TITLE III—ADMINISTRATION

LOCAL DEVELOPMENT DISTRICTS—CERTIFICATION

SEC. 301. For the purposes of this Act, a "local development district" shall be an entity certified to the Commission either by the Governor of the State or States in which such entity is located, or by the State officer designated by the appropriate State law to make such certification, as having a charter or authority that includes the economic development of counties or parts of counties or other political subdivisions within the region. No entity shall be certified as a local development district for the purposes of this Act unless it is one of the following:

(1) a nonprofit incorporated body organized or chartered under the law of the State in which it is located;

(2) a nonprofit agency or instrumentality of a State or local government;

(3) a nonprofit agency or instrumentality created through an interstate compact; or

(4) a nonprofit association or combination of such bodies, agencies, and instrumentalities.

GRANTS FOR ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS AND FOR RESEARCH AND DEMONSTRATION PROJECTS

SEC. 302. (a) The Secretary of Commerce is authorized—

(1) either directly or through arrangements with the Commission, to make grants for administrative expenses to local development districts. The amount of any such grant shall not exceed 75 per centum of such expenses in any one fiscal year. No grants for administrative expenses shall be made to a local development district for a period in excess of three years beginning on the date the initial grant is made to such development district. The local contributions for administrative expenses may be in cash or in kind, fairly evaluated, including but not limited to space, equipment, and services; and

(2) either directly or through arrangements with appropriate public or private organizations (including the Commission), to

provide funds for investigation, research, studies, and demonstration projects, but not for construction purposes, which will further the purposes of this Act.

Records, maintenance and availability.

(b) Recipients of Federal assistance under the provisions of this section shall, in accordance with regulations to be promulgated by the Secretary of Commerce, maintain accurate and complete records of transactions and activities financed with Federal funds and report thereon to the Secretary of Commerce. The records of the recipient shall be available for audit with respect to such grants by the Secretary of Commerce and the Comptroller General, or their duly authorized representatives.

(c) Not to exceed $5,500,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Research and development activities.

(d) No part of any appropriated funds may be expended pursuant to authorization given by this Act involving any scientific or technological research or development activity unless such expenditure is conditioned upon provisions effective to insure that all information, copyrights, uses, processes, patents, and other developments resulting from that activity will be made freely available to the general public. Nothing contained in this subsection shall deprive the owner of any background patent relating to any such activity, without his consent, of any right which that owner may have under that patent. Whenever any information, copyright, use, process, patent or development resulting from any such research or development activity conducted in whole or in part with appropriated funds expended under authorization of this Act is withheld or disposed of by any person, organization, or agency in contravention of the provisions of this subsection, the Attorney General shall institute, upon his own motion or upon request made by any person having knowledge of pertinent facts, an action for the enforcement of the provisions of this subsection in the district court of the United States for any judicial district in which any defendant resides, is found, or has a place of business. Such court shall have jurisdiction to hear and determine such action, and to enter therein such orders and decrees as it shall determine to be required to carry into effect fully the provisions of this subsection. Process of the district court for any judicial district in any action instituted under this subsection may be served in any other judicial district of the United States by the United States marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

PROJECT APPROVAL

SEC. 303. An application for a grant or for any other assistance for a program or project under this Act shall be made only by a State, a political subdivision of a State, or a local development district. Each such application shall be made through the State member of the Commission representing such applicant, and such State member shall evaluate such application for approval. Only applications for programs and projects which are approved by a State member as meeting the requirements for assistance under the Act shall be approved for assistance by the Commission.

ANNUAL REPORT

SEC. 304. Not later than six months after the close of each fiscal year, the Commission shall prepare and submit to the Governor of each State in the region and to the President, for transmittal to the

Congress, a report on the activities carried out under this Act during such year.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

AUTHORIZATION OF APPROPRIATIONS

SEC. 401. In addition to the appropriations authorized in section 201 for the Appalachian development highway system, there is hereby authorized to be appropriated for the period ending June 30, 1967, to be available until expended, not to exceed $252,400,000 to carry out this Act.

APPLICABLE LABOR STANDARDS

SEC. 402. 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 financially assisted through the Federal funds authorized under this Act, 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 such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133—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)).

49 Stat. 1011; 78 Stat. 238.

5 USC 133z-15 note.

63 Stat. 108.

DEFINITION OF APPALACHIAN REGION

SEC. 403. As used in this Act, the term "Appalachian region" or "the region" means that area of the eastern United States consisting of the following counties (including any political subdivision located within such area):

Alabama.

In Alabama, the counties of Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, De Kalb, Elmore, Etowah, Fayette, Franklin, Jackson, Jefferson, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Randolph, Saint Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston;

Georgia.

In Georgia, the counties of Banks, Barrow, Bartow, Carroll, Catoosa, Chattooga, Cherokee, Dade, Dawson, Douglas, Fannin, Floyd, Forsyth, Franklin, Gilmer, Gordon, Gwinnett, Habersham, Hall, Haralson, Heard, Jackson, Lumpkin, Madison, Murray, Paulding, Pickens, Polk, Rabun, Stephens, Towns, Union, Walker, White, and Whitfield;

Kentucky.

In Kentucky, the counties of Adair, Bath, Bell, Boyd, Breathitt, Carter, Casey, Clark, Clay, Clinton, Cumberland, Elliott, Estill, Fleming, Floyd, Garrard, Green, Greenup, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, McCreary, Madison, Magoffin, Martin, Menifee, Monroe, Montogomery, Morgan, Owsley, Perry, Pike, Powell, Pulaski, Rockcastle, Rowan, Russell, Wayne, Whitley, and Wolfe;

Maryland.

In Maryland, the counties of Allegany, Garrett, and Washington;

North Carolina.

In North Carolina, the counties of Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Davie, Forsyth, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Stokes, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey;

Ohio.

In Ohio, the counties of Adams, Athens, Belmont, Brown, Carroll, Clermont, Coshocton, Gallia, Guernsey, Harrison, Highland, Hocking, Holmes, Jackson, Jefferson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Tuscarawas, Vinton, and Washington;

Pennsylvania.

In Pennsylvania, the counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Bradford, Butler, Cambria, Cameron, Carbon, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Juniata, Lackawanna, Lawrence, Luzerne, Lycoming, McKean, Mercer, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Washington, Wayne, Westmoreland, and Wyoming;

South Carolina.

In South Carolina, the counties of Anderson, Cherokee, Greenville, Oconee, Pickens, and Spartanburg;

Tennessee.

In Tennessee, the counties of Anderson, Bledsoe, Blount, Bradley, Campbell, Carter, Claiborne, Clay, Cocke, Coffee, Cumberland, De Kalb, Fentress, Franklin, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Jackson, Jefferson, Johnson, Knox, Loudon, McMinn, Macon, Marion, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Scott, Sequatchie, Sevier, Smith, Sullivan, Unicoi, Union, Van Buren, Warren, Washington, and White;

Virginia.

In Virginia, the counties of Alleghany, Bath, Bland, Botetourt, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Highland, Lee, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe;

West Virginia.

All the counties of West Virginia:

New York. Study.

Provided, That the Commission is hereby authorized and directed to study and consider, in consultation with the Governor of the State of New York or an appropriate official or officials designated by him, the inclusion of such counties of the State of New York as are contiguous to the Appalachian region as defined in this section and counties contiguous thereto in the Appalachian region for the purposes of this Act; and if the Commission shall decide after such consultation, that these counties share the social and economic characteristics of the region, and that the inclusion of these counties would further the purposes of this Act as set forth in section 2, then the Commission is authorized and directed to invite the State of New York to participate in the Commission on an appropriate basis: *Provided further*, That the Commission may extend the invitation to the State of New York for inclusion of such of the described counties the inclusion of which would further the purposes of the Act: *And provided further*, That if such invitation is duly accepted by the State of New York,

those counties shall be included in "the region" or "the Appalachian region" for the purposes of this Act.

SEVERABILITY

SEC. 404. If any provision of this Act, or the applicability thereof to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

TERMINATION

SEC. 405. This Act shall cease to be in effect on July 1, 1971.

Approved March 9, 1965.

Public Law 89-5

AN ACT

March 12, 1965 [S. 301]

To promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Doctor Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics.

Dr. Robert H. Goddard day.

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 rapid advances and developments in the fields of astronautics and related sciences are having an increasing impact on the daily lives of the people, the national security, and long-range human progress. It is therefore desirable and appropriate that steps be taken to promote greater public knowledge of the progress and achievement being brought about in these fields, and for that purpose to provide for special recognition and honor to Doctor Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics, and to designate and set aside a special day to honor his memory and his accomplishments.

SEC. 2. (a) The Administrator of the National Aeronautics and Space Administration shall provide for appropriate ceremonies, meetings, and other activities on March 16, 1965, said day to be known and celebrated as Goddard Day in honor of the epochal achievements in these fields by the late Doctor Robert Hutchings Goddard.

Presidential proclamation.

(b) The President is authorized and requested to issue a proclamation calling upon officials of the Government and the public to participate in the ceremonies, meetings, and other activities held in observance of Goddard Day.

Approved March 12, 1965.

Public Law 89-6

AN ACT

March 24, 1965 [H. R. 45]

To amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Inter-American Development Bank Act (22 U.S.C. 283-283i) is amended by adding at the end thereof the following new section:

73 Stat. 299; 78 Stat. 3.

"SEC. 14. (a) The United States Governor of the Bank is hereby authorized to vote in favor of the resolution entitled 'Increase of Resources of the Fund for Special Operations' proposed by the Governors at their annual meeting in April 1964, and now pending before the Board of Governors of the Bank. Upon the adoption of such resolution, the United States Governor is authorized to agree, on behalf of the United States, to pay to the Fund for Special Operations of the Bank, the sum of $750,000,000, in accordance with and subject to the terms and conditions of such resolution.

Appropriation.

"(b) There is hereby authorized to be appropriated without fiscal year limitation, for the United States share in the increase in the resources of the Fund for Special Operations of the Bank, the sum of $750,000,000.

Loan disapproval by U.S.

"(c) With respect to any dollars herein provided, the voting power of the United States shall be exercised for the purpose of disapproving any loan from the Fund for Special Operations of the Bank for any project, enterprise, or activity in any country, during any period for which the President has suspended assistance to the government of such country because of any action taken on or after January 1, 1962, by the government of such country or any government agency or subdivision within such country as specified in paragraph (A), (B), or (C) of subsection (e) (1) of section 620 of the Foreign Assistance Act of 1961, as amended, and the failure of such country within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection."

77 Stat. 366; 78 Stat. 1013. 22 USC 2370.

Approved March 24, 1965.

Public Law 89-7

March 29, 1965 [S. J. Res. 48]

JOINT RESOLUTION

To provide for Bennett Place commemoration.

Whereas a profound spirit of unity among Americans underlies this Nation's greatness; and

Whereas a striking and memorable example of that spirit of unity pervaded the negotiations between General William T. Sherman and General Joseph E. Johnston when those opposing commanders in their search for peace met at the Bennett House, near the city of Durham, North Carolina, in April of 1865; and

Whereas through the diligent and unselfish labors of the Bennett Place Memorial Commission over long years, the Bennett House, together with its grounds and appurtenant buildings, has been carefully preserved and now comprises an official State historic site, administered by the State of North Carolina, so that the Bennett Place today stands as a permanent symbol of the Nation's unity; and

Whereas the people of North Carolina, imbued with the same sense of unity and concord that characterized the Johnston-Sherman Bennett Place conferences a century ago, and wishing to commemorate the centennial of those conferences, will hold appropriate ceremonies at the Bennett Place, near the city of Durham, on April 25, 1965; and

Whereas the Governor of the State of North Carolina, the city of Durham, and Bennett Place Memorial Commission have invited the people of the United States to attend those ceremonies: Therefore be it

Bennett Place commemoration. 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 authorized and requested to issue a proclamation, on

or before April 1, 1965, reminding the American people of the spirit of national unity that is symbolized by the Bennett Place, near the city of Durham, North Carolina, and urging those who can do so to attend the commemorative ceremonies to be held by the people of North Carolina at the Bennett Place on April 25, 1965.

SEC. 2. Departments and agencies of the Government of the United States, including the Civil War Centennial Commission, are hereby requested to cooperate with the Governor of the State of North Carolina, with other public officers, and with governmental agencies of said State, and with the city of Durham, and the Bennett Place Memorial Commission in planning and carrying out the aforementioned commemorative ceremonies.

Approved March 29, 1965.

Public Law 89-8

JOINT RESOLUTION

March 29, 1965
[S. J. Res. 47]

To authorize the President to designate the week of May 2 through May 8, 1965, as "Professional Photography Week".

Whereas professional photography is vital to the economy and welfare of our Nation, touching upon every aspect of this country's economic, scientific, industrial, and family life; and

Whereas one hundred and fifty thousand men and women are engaged in the practice of professional photography; and

Whereas a billion-dollar industry is generated and supported by the activities of the professional photographer; and

Whereas the work of the professional photographer is used by industry in product design, research, manufacture, the promotion of safety, training, purchasing and sales; and

Whereas professional photography communicates and educates and illustrates in advertising, in our courts, on our farms; and

Whereas in our reach toward outer space, in our search of the ocean's depth, and in research in our hospitals and laboratories throughout the land the professional photographer serves the cause of science; and

Whereas the professional photographer records history for our edification today and the benefit of our posterity; and

Whereas professional photography as an art form has enriched the cultural life of America; and

Whereas professional photography continues in its traditional role of remembrance and recording those we love: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That as a tribute to the professional photographer and his many works and in recognition of the importance of professional photography in our life today and in America's future, the President is authorized to issue a proclamation designating the week beginning May 2 through May 8, 1965, as Professional Photography Week, and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

Professional Photography Week. Proclamation.

Approved March 29, 1965.

Public Law 89-9

April 2, 1965
[H. R. 1496]

AN ACT

To authorize the release of certain quantities of zinc, lead, and copper from either the national stockpile or the supplemental stockpile, or both.

Zinc, lead, copper.
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, from either the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) or 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)), or from both such stockpiles, (1) approximately one hundred and fifty thousand short tons of zinc, (2) approximately one hundred and fifty thousand short tons of lead, and (3) approximately one hundred thousand short tons of copper (part or all of which may be supplied in the form of brass and bronze, taking into account only the copper content thereof). The disposals authorized by this section may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, but the time and method of the disposals 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.

SEC. 2. The Administrator is also authorized, without regard to the provisions of the Strategic and Critical Materials Stock Piling Act, to make available an additional fifty thousand short tons of zinc and an additional fifty thousand short tons of lead now held in either the national stockpile or the supplemental stockpile, or both such stockpiles, for direct use by agencies of the United States Government.

Approved April 2, 1965.

Public Law 89-10

AN ACT

April 11, 1965
[H. R. 2362]

To strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools.

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 Act of 1965".

Elementary and Secondary Education Act of 1965.

TITLE I—FINANCIAL ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR THE EDUCATION OF CHILDREN OF LOW-INCOME FAMILIES AND EXTENSION OF PUBLIC LAW 874, EIGHTY-FIRST CONGRESS

SEC. 2. The Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended (20 U.S.C. 236–244), is amended by inserting:

64 Stat. 1100.

"TITLE I—FINANCIAL ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES IN AREAS AFFECTED BY FEDERAL ACTIVITY"

immediately above the heading of section 1, by striking out "this Act" wherever it appears in sections 1 through 6, inclusive (other than where it appears in clause (B) of section 4(a)), and inserting in lieu thereof "this title", and by adding immediately after section 6 the following new title:

67 Stat. 532.
20 USC 239.

"TITLE II—FINANCIAL ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR THE EDUCATION OF CHILDREN OF LOW-INCOME FAMILIES

"DECLARATION OF POLICY

"SEC. 201. In recognition of the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs, the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in this title) to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means (including preschool programs) which contribute particularly to meeting the special educational needs of educationally deprived children.

"KINDS AND DURATION OF GRANTS

"SEC. 202. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for basic grants to local educational agencies for the period beginning July 1, 1965, and ending June 30, 1968, and he shall make payments to State educational agencies for special incentive grants to local educational agencies for the period beginning July 1, 1966, and ending June 30, 1968.

"BASIC GRANTS—AMOUNT AND ELIGIBILITY

"SEC. 203. (a)(1) From the sums appropriated for making basic grants under this title for a fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall allot such amount 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. The maximum basic 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 shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) In any case in which the Commissioner determines that satisfactory data for that purpose are available, the maximum basic grant which a local educational agency in a State shall be eligible to receive under this title for any fiscal year shall be (except as provided in paragraph (3)) an amount equal to the Federal percentage (established pursuant to subsection (c)) of the average per pupil expenditure in that State multiplied by the sum of (A) the number of children aged five to seventeen, inclusive, in the school district of such agency, of families having an annual income of less than the low-income factor (established pursuant to subsection (c)), and (B) the number of children of such ages in such school district of families receiving an annual income in excess of the low-income factor (as 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. In any other case, the maximum basic grant for any local educational agency in a State shall be determined on the basis of the aggregate maximum amount of such grants for all such agencies in the county or counties in which the school district of the particular agency is located, which aggregate maximum amount shall be equal to the Federal percentage of such per pupil expenditure multiplied by the number of children of such ages and families in such county or counties and shall be allocated among those agencies upon such equitable basis as may be determined by the State educational agency in accordance with basic criteria prescribed by the Commissioner. For purposes of this subsection the 'average per pupil expenditure' in a State 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 in the State (without regard to the sources of funds from which 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. In determining the maximum amount of a basic grant and the eligibility of a local educational agency for a basic grant for any fiscal year, the number of children determined under the first two sentences of this subsection or under subsection (b) shall be reduced by the number of children aged five to seventeen, inclusive, of families having an annual income of less than the low-income factor (as established pursuant to subsection (c)) for whom a payment was made under title I for the previous fiscal year.

49 Stat. 627.
42 USC 601-609.

"Average per pupil expenditure."

"(3) If the maximum amount of the basic grant determined pursuant to paragraph (1) or (2) for any local educational agency for the fiscal year ending June 30, 1966, is greater than 30 per centum of the sum budgeted by that agency for current expenditures for that year (as determined pursuant to regulations of the Commissioner), such maximum amount shall be reduced to 30 per centum of such budgeted sum.

"(4) For purposes of this subsection, the term 'State' does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) A local educational agency shall be eligible for a basic grant for a fiscal year under this title only if it meets the following requirements with respect to the number of children aged five to seventeen, inclusive, of families having an annual income of less than the low-income factor (as established pursuant to subsection (c)):

"(1) In any case (except as provided in paragraph (3)) in which the Commissioner determines that satisfactory data for the purpose of this subsection as to the number of such children of such families are available on a school district basis, the number of such children of such families in the school district of such local educational agency shall be—

"(A) at least one hundred, or

"(B) equal to 3 per centum or more of the total number of all children aged five to seventeen, inclusive, in such district,

whichever is less, except that it shall in no case be less than ten.

"(2) In any other case, except as provided in paragraph (3), the number of children of such ages of families with such income in the county which includes such local educational agency's school district shall be one hundred or more.

"(3) In any case in which a county includes a part of the school district of the local educational agency concerned and the Commissioner has not determined that satisfactory data for the purpose of this subsection are available on a school district basis for all the local educational agencies for all the counties into which the school district of the local educational agency concerned extends, the eligibility requirement with respect to the number of children of such ages of families of such income for such local educational agency shall be determined in accordance with regulations prescribed by the Commissioner for the purposes of this subsection.

"(c) For the purposes of this section, the 'Federal percentage' and the 'low-income factor' for the fiscal year ending June 30, 1966, shall be 50 per centum and $2,000, respectively. For each of the two succeeding fiscal years the Federal percentage and the low-income factor shall be established by the Congress by law.

"Federal percentage."
"Low-income factor."

"(d) For the purposes of this section, the Commissioner shall determine the number of children aged five to seventeen, inclusive, of families having an annual income of less than the low-income factor (as established pursuant to subsection (c)) on the basis of the most recent satisfactory data available from the Department of Commerce. At any time such data for a county are available in the Department of Commerce, such data shall be used in making calculations under this section. 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 (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 on the basis of the best available data for the period most nearly comparable to those which are used by the Commissioner under the first two sentences of this subsection in making determinations for the purposes of subsections (a) and (b). When requested by the Commissioner, the Secretary of Commerce shall make a special estimate of the number of children of such ages who are from families having an annual income less than the low

49 Stat. 627.
42 USC 601-609.

income factor (established pursuant to subsection (c)) in each county or school district, and the Commissioner is authorized to pay (either in advance or by way of reimbursement) the Secretary of Commerce the cost of making this special estimate. The Secretary of Commerce shall give consideration to any request of the chief executive of a State for the collection of additional census information.

"SPECIAL INCENTIVE GRANTS

"SEC. 204. Each local educational agency which is eligible to receive a basic grant for the fiscal year ending June 30, 1967, shall be eligible to receive in addition a special incentive grant which does not exceed the product of (a) the aggregate number of children in average daily attendance to whom such agency provided free public education during the fiscal year ending June 30, 1965, and (b) the amount by which the average per pupil expenditure of that agency for the fiscal year ending June 30, 1965, exceeded 105 per centum of such expenditure for the fiscal year ending June 30, 1964. Each local educational agency which is eligible to receive a basic grant for the fiscal year ending June 30, 1968, shall be eligible to receive in addition a special incentive grant which does not exceed the product of (c) the aggregate number of children in average daily attendance to whom such agency provided free public education during the fiscal year ending June 30, 1966, and (d) the amount by which the average per pupil expenditure of that agency for the fiscal year ending June 30, 1966, exceeded 110 per centum of such expenditure for the fiscal year ending June 30, 1964. For the purpose of this section the 'average per pupil expenditure' of a local educational agency for any year shall be the aggregate expenditures (without regard to the sources of funds from which such expenditures are made, except that funds derived from Federal sources shall not be used in computing such expenditures) from current revenues made by that agency during that year for free public education, divided by the aggregate number of children in average daily attendance to whom such agency provided free public education during that year.

"Average per pupil expenditure."

"APPLICATION

"SEC. 205. (a) A local educational agency may receive a basic grant or a special incentive grant under this title for any fiscal year only upon application therefor approved by the appropriate State educational agency, upon its determination (consistent with such basic criteria as the Commissioner may establish)—

"(1) that payments under this title will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) (A) which are designed to meet the special educational needs of educationally deprived children in school attendance areas having high concentrations of children from low-income families and (B) which are of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting those needs, and nothing herein 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;

"(2) that, to the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including

special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children can participate;

"(3) that the local educational agency has provided 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;

"(4) 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 209 will be complied with on all such construction projects;

"(5) 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 educationally deprived children;

"(6) that the local educational agency will make an annual report and such other reports to the State educational agency, in such form and containing such information, as may be reasonably necessary to enable the State educational agency to perform its duties under this title, including information relating to the educational achievement of students participating in programs carried out under this title, and will keep such records and afford such access thereto as the State educational agency may find necessary to assure the correctness and verification of such reports;

"(7) that wherever there is, in the area served by the local educational agency, a community action program approved pursuant to title II of the Economic Opportunity Act of 1964 (Public Law 88-452), the programs and projects have been developed in cooperation with the public or private nonprofit agency responsible for the community action program; and

78 Stat. 516.
42 USC 2781-2831.

"(8) that effective procedures will be adopted for acquiring and disseminating to teachers and administrators significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects.

"(b) The State educational agency shall not finally disapprove in whole or in part any application for funds under this title without first affording the local educational agency submitting the application reasonable notice and opportunity for a hearing.

"ASSURANCES FROM STATES

"SEC. 206. (a) Any State desiring to participate in the program of this title shall submit through its State educational agency to the Commissioner an application, in such detail as the Commissioner deems necessary, which provides satisfactory assurance—

"(1) that, except as provided in section 207(b), payments under this title will be used only for programs and projects which have been approved by the State educational agency pursuant to section 205(a) and which meet the requirements of that section, and that such agency will in all other respects comply with the provisions of this title, including the enforcement of any obligations imposed upon a local educational agency under section 205(a);

"(2) 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 to the State (including such funds paid by the State to local educational agencies) under this title; and

Reports.

"(3) that the State educational agency will make to the Commissioner (A) periodic reports (including the results of objective measurements required by section 205(a)(5)) evaluating the effectiveness of payments under this title and of particular programs assisted under it in improving the educational attainment of educationally deprived children, and (B) such other reports as may be reasonably necessary to enable the Commissioner to perform his duties under this title (including such reports as he may require to determine the amounts which the local educational agencies of that State are eligible to receive for any fiscal year), and assurance that such agency will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

Records.

"(b) The Commissioner shall approve an application which meets the requirements specified in subsection (a), and he shall not finally disapprove an application except after reasonable notice and opportunity for a hearing to the State educational agency.

"PAYMENT

"SEC. 207. (a)(1) The Commissioner shall, subject to the provisions of section 208, from time to time pay to each State, in advance or otherwise, the amount which the local educational agencies of that State are eligible to receive under this title. Such payments shall take into account the extent (if any) to which any previous payment to such State educational agency under this title (whether or not in the same fiscal year) was greater or less than the amount which should have been paid to it.

"(2) From the funds paid to it pursuant to paragraph (1) each State educational agency shall distribute to each local educational agency of the State which is not ineligible by reason of section 203(b) and which has submitted an application approved pursuant to section 205(a) the amount for which such application has been approved, except that this amount shall not exceed an amount equal to the total of the maximum amount of the basic grant plus the maximum amount of the special incentive grant as determined for that agency pursuant to sections 203 and 204, respectively.

"(b) The Commissioner is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this title (including technical assistance for the measurements and evaluations required by section 205(a)(5)), except that the total of such payments in any fiscal year shall not exceed 1 per centum of the total of the amount of the basic grants paid under this title for that year to the local educational agencies of the State.

"(c)(1) No payments shall be made under this title for any fiscal year to a State which has taken into consideration payments under this title in determining the eligibility of any local educational agency in that State for State aid, or the amount of that aid, with respect to the free public education of children during that year or the preceding fiscal year.

"(2) No payments shall be made under this title to any local educational agency for any fiscal year unless the State educational agency finds that the combined fiscal effort (as determined in accordance with regulations of the Commissioner) of that agency and the State with

respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the fiscal year ending June 30, 1964.

"ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

"SEC. 208. If the sums appropriated for the fiscal year ending June 30, 1966, for making the payments provided in this title are not sufficient to pay in full the total amounts which all local and State educational agencies are eligible to receive under this title for such year, such amounts shall be reduced ratably. In case additional funds become available for making payments under this title for that year, such reduced amounts shall be increased on the same basis that they were reduced.

"LABOR STANDARDS

"SEC. 209. 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 (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).

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267.

63 Stat. 108.

"WITHHOLDING

"SEC. 210. Whenever the Commissioner, after reasonable notice and opportunity for hearing to any State educational agency, finds that there has been a failure to comply substantially with any assurance set forth in the application of that State approved under section 206(b), the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

"JUDICIAL REVIEW

"SEC. 211. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its application submitted under section 206(a) or with his final action under section 210, 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 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.

"(c) 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. 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 COUNCIL

"SEC. 212. (a) The President shall, within ninety days after the enactment of this title, appoint a National Advisory Council on the Education of Disadvantaged Children for the purpose of reviewing the administration and operation of this title, including its effectiveness in improving the educational attainment of educationally deprived children, and making recommendations for the improvement of this title and its administration and operation. These recommendations shall take into consideration experience gained under this and other Federal educational programs for disadvantaged children and, to the extent appropriate, experience gained under other public and private educational programs for disadvantaged children.

"(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve persons. When requested by the President, the Secretary of Health, Education, and Welfare shall engage such technical assistance as may be required to carry out the functions of the Council, and the Secretary shall make available to the Council 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 such functions.

Report to President and Congress.

"(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 not later than March 31 of each calendar year beginning after the enactment of this title. The President shall transmit each such report to the Congress together with his comments and recommendations.

"(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, 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 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in Government service employed intermittently."

60 Stat. 808; 75 Stat. 339, 340.

TECHNICAL AND CONFORMING AMENDMENTS

SEC. 3. (a) Clause (A) of section 3(c)(4) of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended (20 U.S.C. 238 (c)(4)(A)) is amended by striking out ") is," and inserting ", but excluding funds available under title II) is,".

67 Stat. 531; 70 Stat. 971.

(b) The sentence which immediately follows clause (B) of section 4(a) of such Act (20 U.S.C. 239(a)(B)) is amended by inserting "(exclusive of funds available under title II)" immediately after "Federal funds".

67 Stat. 532.

(c)(1) Such Act is further amended by inserting "TITLE III—GENERAL" above the heading for section 7, and by redesignating sections 7, 8, and 9, and references thereto, as sections 301, 302, and 303, respectively.

64 Stat. 1107.
20 USC 242-244.

(2) Subsections (b) and (c) of the section of such Act redesignated as section 302 are amended by striking out "this Act" wherever it appears and inserting in lieu thereof "title I".

DEFINITIONS

SEC. 4. (a) Paragraph (2) of the section of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, redesignated by section 3 of this Act as section 303, is amended to read as follows:

"(2) The term 'child', except as used in title II, means any child who is within the age limits for which the applicable State provides free public education."

"Child."

(b) Paragraph (4) of such section 303 is amended by inserting before the period at the end thereof ", except that for the purposes of title II such term does not include any education provided beyond grade 12".

(c) Paragraph (5) of such section 303 is amended by inserting immediately before the period at the end thereof the following: ", or any expenditures made from funds granted under title II of this Act or titles II or III of the Elementary and Secondary Education Act of 1965".

(d)(1) Paragraph (8) of such section 303 is amended by inserting "American Samoa," after "the District of Columbia,", and by inserting after "the Virgin Islands" the following: ", and for purposes of title II, such term includes the Trust Territory of the Pacific Islands".

(2) Sections 3(d) and 6(c) of such Act (20 U.S.C. 238(d), 241(c)) are each amended by inserting "American Samoa," after "Guam," each time that it appears.

64 Stat. 1102;
67 Stat. 530, 532, 535.

(e) Such section 303 is further amended by adding at the end thereof the following new paragraphs:

"(11) The term 'county' means those divisions of a State utilized by the Secretary of Commerce in compiling and reporting data regarding counties.

"(12) The term 'construction' includes the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

"(13) The term 'school facilities' means classrooms and related facilities (including initial equipment) for free public education and interests in land (including site, grading, and improvements) on which such facilities are constructed, except that such term does not include those gymnasiums and similar facilities intended primarily for exhibitions for which admission is to be charged to the general public.

"(14) The term 'equipment' includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and audio-visual instructional materials, and books, periodicals, documents, and other related materials.

"(15) For the purpose of title II, the term 'elementary school' means a day or residential school which provides elementary educa-

tion, as determined under State law, and the term 'secondary school' means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12."

EXTENSION OF TITLE I OF PUBLIC LAW 874

EIGHTY-FIRST CONGRESS

64 Stat. 1101; 67 Stat. 530, 532; 78 Stat. 1109.

SEC. 5. Sections 2(a), 3(b), and 4(a) of title I of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended (20 U.S.C. 237(a), 238(b), 239(a)), are each amended by striking out "1966" each place where it appears and inserting in lieu thereof "1968".

TITLE II—SCHOOL LIBRARY RESOURCES, TEXTBOOKS, AND OTHER INSTRUCTIONAL MATERIALS

APPROPRIATIONS AUTHORIZED

SEC. 201. (a) The Commissioner shall carry out during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years, a program for making grants for the acquisition of school library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools.

(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; but for the fiscal year ending June 30, 1967, and the three succeeding fiscal years, only such sums may be appropriated as the Congress may hereafter authorize by law.

ALLOTMENT TO STATES

SEC. 202. (a) From the sums appropriated for carrying out this title for any fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall allot such amount among the Commonwealth of 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. From the remainder of such sums, the Commissioner shall allot to each State an amount which bears the same ratio to such remainder 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.

(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year shall be available for reallotment from time to time, 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 reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year from funds appropriated pursuant to section 201 shall be deemed part of its allotment under section (a) for such year.

STATE PLANS

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;

(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, audio-visual 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 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, except that the amount used for administration of the State plan shall not exceed for the fiscal year ending June 30, 1966, an amount equal to 5 per centum of the amount paid to the State under this title for that year, and for any fiscal year thereafter an amount equal to 3 per centum of the amount paid to the State under this title for that year;

(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 of the children and teachers of the State for such library resources, textbooks, or other instructional materials, and

(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;

(4) sets forth the criteria to be used in selecting the library resources, textbooks, and other instructional materials to be provided under this title and for determining the proportions of the State's allotment for each fiscal year which will be expended for library resources, textbooks, and other printed and published instructional materials, respectively, and the terms by which such library resources, textbooks, and other instructional materials will be made available for the use of children and teachers in the schools of the State;

(5) sets forth policies and procedures designed to assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of State, local, and private school funds that would in the absence of such Federal funds be made available for library resources, textbooks, and other printed and published instructional materials, and in no case supplant such State, local, and private school funds;

(6) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to any other public agency) under this title; and

Reports.

(7) provides 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, and 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.

Records.

(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

PAYMENTS TO STATES

SEC. 204. (a) From the amounts allotted to each State under section 202 the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(b) In any State which has a State plan approved under section 203(b) and in which no State agency is authorized by law to provide library resources, textbooks, or other printed and published instructional materials for the use of children and teachers in any one or more elementary or secondary schools in such State, the Commissioner shall arrange for the provision on an equitable basis of such library resources, textbooks, or other instructional materials for such use and shall pay the cost thereof for any fiscal year ending prior to July 1, 1970, out of that State's allotment.

PUBLIC CONTROL OF LIBRARY RESOURCES, TEXTBOOKS, AND OTHER INSTRUCTIONAL MATERIAL AND TYPES WHICH MAY BE MADE AVAILABLE

SEC. 205. (a) Title to library resources, textbooks, and other printed and published instructional materials furnished pursuant to this title, and control and administration of their use, shall vest only in a public agency.

(b) The library resources, textbooks, and other printed and published instructional materials made available pursuant to this title for use of children and teachers in any school in any State shall be limited to those which have been approved by an appropriate State or local educational authority or agency for use, or are used, in a public elementary or secondary school of that State.

ADMINISTRATION OF STATE PLANS

SEC. 206. (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 Commissioner, 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 203(a), 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. 207. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 203(a) or with his final action under section 206(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.

TITLE III—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

APPROPRIATIONS AUTHORIZED

SEC. 301. (a) The Commissioner shall carry out during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years, a program for making grants for supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

(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; but for the fiscal year ending June 30, 1967, and the 3 succeeding fiscal years, only such sums may be appropriated as the Congress may hereafter authorize by law.

APPORTIONMENT AMONG STATES

SEC. 302. (a) From the sums appropriated for carrying out this title for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine and shall apportion such amount among the Commonwealth of 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. From the remainder of such sums the Commissioner shall apportion $200,000 to each State and shall apportion the remainder of such sums among the States as follows:

(1) 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

(2) 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 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.

(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

(c) The amount apportioned under this section to any State for the fiscal year ending June 30, 1966, shall be available for payments to applicants with approved applications in that State during that year and the next fiscal year.

(d) The amount apportioned to any State under subsection (a) for any fiscal year which the Commissioner determines will not be required for the period for which that amount is available shall be available for reapportionment from time to time, on such dates during that period as the Commissioner may fix, among other States in proportion to the amounts originally apportioned among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that period; and the total of these reductions shall be similarly reapportioned among the States whose proportionate amounts were not so reduced. Any amount reapportioned to a State under this subsection from funds appropriated pursuant to section 301 for any fiscal year shall be deemed to be a part of the amount apportioned to it under subsection (a) for that year.

USES OF FEDERAL FUNDS

SEC. 303. Grants under this title may be used, in accordance with applications approved under section 304(b), for—

(a) planning for and taking other steps leading to the development of programs designed to provide supplementary educational

activities and services described in paragraph (b), including pilot projects designed to test the effectiveness of plans so developed; and

(b) the establishment, maintenance, and operation of programs, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to persons of varying talents and needs by providing supplementary educational services and activities such as—

(1) comprehensive guidance and counseling, remedial instruction, and school health, physical education, recreation, psychological, and social work services designed to enable and encourage persons to enter, remain in, or reenter educational programs, including the provision of special educational programs and study areas during periods when schools are not regularly in session;

(2) comprehensive academic services and, where appropriate, vocational guidance and counseling, for continuing adult education;

(3) developing and conducting exemplary educational programs, including dual-enrollment programs, for the purpose of stimulating the adoption of improved or new educational programs (including those programs described in section 503(a)(4)) in the schools of the State;

(4) specialized instruction and equipment for students interested in studying advanced scientific subjects, foreign languages, and other academic subjects which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped or of preschool age;

(5) making available modern educational equipment and specially qualified personnel, including artists and musicians, on a temporary basis to public and other nonprofit schools, organizations, and institutions;

(6) developing, producing, and transmitting radio and television programs for classroom and other educational use;

(7) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal educational opportunities, including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, and visiting teachers' programs; and

(8) other specially designed educational programs which meet the purposes of this title.

APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

SEC. 304. (a) A grant under this title for a program of supplementary educational services may be made to a local educational agency or agencies, but only if there is satisfactory assurance that in the planning of that program there has been, and in the establishing and carrying out of that program there will be, participation of persons broadly representative of the cultural and educational resources of the area to be served. For the purposes of this section, the term "cultural and educational resources" includes State educational agen-

"Cultural and educational resources."

cies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources. Such grants may be made only upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

(2) set forth a program for carrying out the purposes set forth in paragraph (a) or paragraph (b) of section 303 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

(3) set forth policies and procedures which assure that Federal funds made available under this title 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 by the applicant for the purposes described in paragraphs (a) and (b) of section 303, and in no case supplant such funds;

(4) in the case of an application for assistance under this title which includes a project for construction of necessary facilities, provide satisfactory assurance (A) that reasonable provision has been made, consistent with the other uses to be made of the facilities, for areas in such facilities which are adaptable for artistic and cultural activities, (B) that upon completion of the construction title to the facilities will be in a State or local educational agency, and (C) that the requirements of section 308 will be complied with on all construction projects assisted under this title;

(5) provide 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 title; and

Annual report.

(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and 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.

Records.

(b) Applications for grants under this title may be approved by the Commissioner only if—

(1) the application meets the requirements set forth in subsection (a);

(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the size and population of the State, (B) the geographic distribution of the population within the State, (C) the relative need of persons in different geographic areas and in different population groups within the State for the kinds of services and activities described in paragraph (b) of

section 303, and their financial ability to provide those services and activities, and (D) the relative ability of particular local educational agencies within the State to provide those services and activities;

(3) in the case of an application for assistance for a program for carrying out the purposes described in paragraph (b) of section 303, the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which the supplementary educational activities and services provided under the program are to meet, provision has been made for participation of such children; and

(4) the application has been submitted for review and recommendations to the State educational agency.

(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

PAYMENTS

SEC. 305. (a) From the amounts apportioned to each State under section 302 the Commissioner shall pay to each applicant in that State which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

(b) 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.

ADVISORY COMMITTEE

SEC. 306. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on Supplementary Educational Centers and Services, consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary.

(b) The Advisory Committee shall advise the Commissioner (1) on the action to be taken with regard to each application for a grant under this title, and (2) in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Advisory Committee.

(c) Members of the Advisory Committee shall, while serving on the business of the Advisory 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 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.

60 Stat. 808; 75 Stat. 339, 340.

RECOVERY OF PAYMENTS

SEC. 307. If within twenty years after completion of any construction for which Federal funds have been paid under this title—

(a) the owner of the facility shall cease to be a State or local educational agency, or

(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

LABOR STANDARDS

SEC. 308. 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 (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).

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267.

63 Stat. 108.

TITLE IV—EDUCATIONAL RESEARCH AND TRAINING

SEC. 401. The second section of the Act of July 26, 1954 (20 U.S.C. 332), entitled "An Act to authorize cooperative research in education", is redesignated as section 3 and the material which precedes it is amended to read as follows:

68 Stat. 533.

"PURPOSE

"SEC. 1. The purpose of this Act is to enable the Office of Education more effectively to accomplish the purposes and to perform the duties for which it was originally established.

"EDUCATIONAL RESEARCH AND RESEARCH TRAINING

"SEC. 2. (a)(1) The Commissioner of Education (hereinafter in this Act referred to as the 'Commissioner') is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations and to individuals, for research, surveys, and demonstrations in the field of education (including programs described in section 503(a)(4) of the Elementary and Secondary Education Act of 1965), and for the dissemination of information derived from educational research (including but not limited to information concerning promising educational practices developed under programs

carried out under the Elementary and Secondary Education Act of 1965) 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) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection until the Commissioner has obtained the advice and recommendations of a panel of specialists who are not employees of the Federal Government and who are competent to evaluate the proposals as to the soundness of their design, the possibilities of securing productive results, the adequacy of resources to conduct the proposed research, surveys, or demonstrations, and their relationship to other similar educational research or dissemination programs already completed or in progress.

"(b) The Commissioner is authorized to make grants to public and other nonprofit universities and colleges and to other public or nonprofit 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. Grants under this subsection may, when so authorized by the Commissioner, also be used by such grantees (1) 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 (2), where the grantee 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. No grant shall be made 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.

"(c) In addition to the authority granted by section 603(b) of the Elementary and Secondary Education Act of 1965, funds available to the Commissioner for grants or contracts or jointly financed cooperative arrangements under this section shall, with the approval of the Secretary, be available for transfer to any other Federal agency for use (in accordance with an interagency agreement) by such agency (alone or in combination with funds of that agency) for purposes for which such transferred funds could be otherwise expended by the Commissioner under the foregoing provisions of this section, and the Commissioner is likewise authorized to accept and expend funds of any other Federal agency for use under this section.

Report to Congress.

"(d) The Commissioner shall transmit to the Congress annually a report concerning the research, surveys, and demonstrations, the information disseminating activities, and the training in research initiated under this Act, the recommendations made by research specialists pursuant to subsection (a)(2), and any action taken with respect to such recommendations."

CONFORMING AMENDMENTS

Ante, p. 44.

SEC. 402. The section of such Act redesignated as section 3 is amended by striking out "this Act" and inserting in lieu thereof "section 2".

CONSTRUCTION OF REGIONAL FACILITIES FOR RESEARCH AND RELATED PURPOSES

SEC. 403. Such Act is further amended by adding the following new sections at the end thereof:

"CONSTRUCTION OF REGIONAL FACILITIES FOR RESEARCH AND RELATED PURPOSES

"SEC. 4. (a) There is authorized to be appropriated over a period of five fiscal years beginning with the fiscal year ending June 30, 1966, $100,000,000 in the aggregate, to enable the Commissioner to carry out the purposes of this section. Sums so appropriated shall remain available until expended for payments with respect to projects for which applications have been filed under this section before July 1, 1970, and approved by the Commissioner before July 1, 1971.

"(b) Whenever the Commissioner finds that the purposes of this Act can best be achieved through the construction of a facility for research, or for research and related purposes (as defined in this section), and that such facility would be of particular value to the Nation or a region thereof as a national or regional resource for research or related purposes, he may make a grant for part or all of the cost of constructing such facility to a university, college, or other appropriate public or nonprofit private agency or institution competent to engage in the types of activity for which the facility is to constructed, or to a combination of such agencies or institutions, or may construct or make arrangements for constructing such facility through contracts for paying part or all of the cost of construction or otherwise. The Commissioner may, where he deems such action appropriate, make arrangements, by contract or otherwise, for the operation of such facilities or may make contributions toward the cost of such operation of facilities of this nature whether or not constructed pursuant to, or with the aid provided under, this section. Title to any facility constructed under this section, if vested in the United States, may be transferred by the Commissioner on behalf of the United States to any such college or university or other public or nonprofit private agency or institution, but such transfer shall be made subject to the condition that the facility will be operated for the purposes for which it was constructed and to such other conditions as the Commissioner deems necessary to carry out the objectives of this title and to protect the interests of the United States.

"(c) All laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of any project under 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). The Secretary of Labor shall have, with respect to the labor standards specified in this clause, 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).

49 Stat. 1011; 78 Stat. 238.
64 Stat. 1267.
63 Stat. 108.

"(d) Payments under this section shall be made in advance or by way of reimbursement, in such installments consistent with construction progress, and on such conditions as the Commissioner may determine.

"(e) As used in this section, the term 'research and related purposes' means research, research training, surveys, or demonstrations in the field of education, or the dissemination of information derived therefrom, or all of such activities, including (but without limitation) experimental schools, except that such term does not include research, research training, surveys, or demonstrations in the field of sectarian instruction or the dissemination of information derived therefrom.

"Research and related purposes."

"DEFINITIONS

"SEC. 5. As used in this Act—

"(1) The term 'State' includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

"(2) 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 no such officer or agency, an officer or agency designated by the Governor or by State law.

"(3) The term 'nonprofit' as applied to any agency, organization, or institution means an agency, organization, or institution owned and operated by one or more nonprofit 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 expansion, remodeling, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered.

"SHORT TITLE

"SEC. 6. This Act may be cited as the 'Cooperative Research Act'."

TITLE V—GRANTS TO STRENGTHEN STATE DEPARTMENTS OF EDUCATION

APPROPRIATIONS AUTHORIZED

SEC. 501. (a) The Commissioner shall carry out during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years, a program for making grants to stimulate and assist States in strengthening the leadership resources of their State educational agencies, and to assist those agencies in the establishment and improvement of programs to identify and meet the educational needs of States.

(b) 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; but for the fiscal year ending June 30, 1967, and the three succeeding fiscal years, only such sums may be appropriated as the Congress may hereafter authorize by law.

APPORTIONMENT AMONG STATES

SEC. 502. (a) (1) From 85 per centum of the sums appropriated for carrying out this title for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum of such 85 per centum of such sums, as he may determine and shall apportion such amount among the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under this title. From the remainder of such 85 per centum of such sums the Commissioner shall apportion $100,000 to each State, and shall apportion to each State such part of the remainder of such 85 per centum of such sums as the number of public school pupils in the State bears to the number of public school pupils in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this paragraph, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands.

(2) Fifteen per centum of the sums appropriated pursuant to section 501 for each fiscal year shall be reserved by the Commissioner for grants for special projects pursuant to section 505.

(b) (1) The amount apportioned to any State under paragraph (1) of subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reapportionment from time to time, on such dates during that year as the Commissioner may fix, to other States in proportion to the amounts originally apportioned among those States under subsection (a) (1) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that year; and the total of these reductions shall be similarly reapportioned among the States whose proportionate amounts were not so reduced. Any amount reapportioned to a State under this subsection from funds appropriated pursuant to section 501 for any fiscal year shall be deemed part of the amount apportioned to it under subsection (a) (1) for that year.

(2) In accordance with regulations of the Commissioner any State may file with him a request that a specified portion of the amount apportioned to it under subsection (a) (1) be added to the amount apportioned to another State under that subsection for the purpose of meeting a portion of the Federal share (as defined in section 503 (b)) of the cost of carrying out one or more programs or activities under an approved application of that other State. If the Commissioner finds that the programs or activities with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of the amount apportioned to that State, as requested by it, would assist in carrying out the purposes of this title, that portion shall be added to the amount apportioned to the other State under subsection (a) (1) to be used for the purpose referred to above. The Federal share of the total funds expended for such programs or activities shall be adjusted on the basis of the proportion of such total funds so expended by each participating State from the amounts originally apportioned to each such State.

GRANTS FROM APPORTIONED FUNDS

SEC. 503. (a) From the amount apportioned to any State for any fiscal year under section 502 the Commissioner may, upon approval of an application or applications therefor submitted to him by such State through the State educational agency, make a grant or grants to such agency equal to the Federal share of expenditures incurred by such agency for the planning of, and for programs for, the development, improvement, or expansion of activities promoting the purposes set forth in section 501(a) and more particularly described in such application and for which such application is approved, such as—

(1) educational planning on a statewide basis, including the identification of educational problems, issues, and needs in the State and the evaluation on a periodic or continuing basis of education programs in the State;

(2) providing support or services for the comprehensive and compatible recording, collecting, processing, analyzing, interpreting, storing, retrieving, and reporting of State and local educational data, including the use of automated data systems;

(3) dissemination or support for the dissemination of information relating to the condition, progress, and needs of education in the State;

(4) programs for conducting, sponsoring, or cooperating in educational research and demonstration programs and projects such as (A) establishing and maintaining curriculum research and innovation centers to assist in locating and evaluating curriculum research findings, (B) discovering and testing new educational ideas (including new uses of printed and audio-visual media) and more effective educational practices, and putting into use those which show promise of success, and (C) studying ways to improve the legal and organizational structure for education and the management and administration of education in the State;

(5) publication and distribution, or support for the publication and distribution, of curricular materials collected and developed at curriculum research centers and elsewhere;

(6) programs to improve the quality of teacher preparation, including student-teaching arrangements, in cooperation with institutions of higher education and local educational agencies;

(7) studies or support for studies concerning the financing of public education in the State;

(8) support for statewide programs designed to measure the educational achievement of pupils;

(9) training and otherwise developing the competency of individuals who serve State or local educational agencies and provide leadership, administrative, or specialist services throughout the State, or throughout the area served by a local educational agency, through the initiation, improvement, and expansion of activities such as (A) sabbatical leave programs, (B) fellowships and traineeships (including educational expenses and the cost of travel) for State educational agency personnel to pursue graduate studies, and (C) conducting institutes, workshops, and conferences (including related costs of operation and payment of the expenses of participants); and

(10) providing local educational agencies and the schools of those agencies with consultative and technical assistance and services relating to academic subjects and to particular aspects of edu-

cation such as the education of the handicapped, school building design and utilization, school social work, the utilization of modern instructional materials and equipment, transportation, educational administrative procedures, and school health, physical education, and recreation.

(b) (1) For the purposes of this section the Federal share for any State shall be 100 per centum for fiscal years ending prior to July 1, 1967. Thereafter the Federal share for any State shall be 100 per centum less the State percentage, except that (A) the Federal share shall in no case be more than 66 per centum or less than 50 per centum, and (B) the Federal share for the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66 per centum. The "State percentage" for any State shall be that percentage which bears the same ratio to 50 per centum as the per capita income of that State bears to the per capita income of all the States (excluding the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands).

(2) The Federal share for each State for the fiscal years beginning July 1, 1967, and July 1, 1968, shall be promulgated by the Commissioner between July 1 and August 31, 1966, and the Federal share for each State for the fiscal year beginning July 1, 1969, shall be promulgated by the Commissioner between July 1 and August 31, 1968. Such Federal share shall be computed on the basis of the average of the per capita incomes of each State and of all the States (excluding the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands) for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce.

APPROVAL OF APPLICATIONS FOR GRANTS FROM APPORTIONED FUNDS

SEC. 504. An application for a grant under section 503 may be approved by the Commissioner only upon his determination that—

(a) each of the proposed projects, programs, and activities for which it is approved meets the requirements of section 503(a) and will make a significant contribution to strengthening the leadership resources of the applicant or its ability to participate effectively in meeting the educational needs of the State;

(b) the application contains or is supported by adequate assurance that Federal funds made available under the approved application will be so used as to supplement, and to the extent practical, increase the amounts of State funds that would in the absence of such Federal funds be made available for projects and activities which meet the requirements of section 503(a);

(c) the application sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to agencies, institutions, or organizations) under this title; and

Reports.

Records.

(d) the application provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this title, and 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.

SPECIAL PROJECT GRANTS

SEC. 505. Fifteen per centum of the sums appropriated pursuant to section 501 for each fiscal year shall be used by the Commissioner to make grants to State educational agencies to pay part of the cost of experimental projects for developing State leadership or for the establishment of special services which, in the judgment of the Commissioner, hold promise of making a substantial contribution to the solution of problems common to the State educational agencies of all or several States.

PAYMENTS

SEC. 506. Payments pursuant to grants 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, as the Commissioner may determine.

INTERCHANGE OF PERSONNEL WITH STATES

SEC. 507. (a) For the purposes of this section, the term "State" means a State or any agency of a State engaged in activities in the field of education, but it does not include a local educational agency; and the term "Office" means the Office of Education.

(b) The Commissioner is authorized, through agreements or otherwise, to arrange for assignment of officers and employees of States to the Office and assignment of officers and employees in the Office to States, for work which the Commissioner determines will aid the Office in more effective discharge of its responsibilities 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.

(c)(1) Officers and employees in the Office assigned to any State pursuant to this section shall be considered, during such assignment, to be (A) on detail to a regular work assignment in the Office, or (B) on leave without pay from their positions in the Office.

(2) Persons considered to be so detailed shall remain as officers or employees, as the case may be, in the Office for all purposes, except that the supervision of their duties during the period of detail may be governed by agreement between the Office and the State involved.

(3) In the case of persons so assigned and on leave without pay—

(A) 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 Office, they may receive supplemental salary payments from the Office in the amount considered by the Commissioner to be justified, but not at a rate in excess of the difference between the State rate and the Office rate; and

(B) they may be granted annual leave and sick leave to the extent authorized by law, but only in circumstances considered by the Commissioner to justify approval of such leave.

Such officers and employees on leave without pay shall, notwithstanding any other provision of law, be entitled—

(C) 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

68 Stat. 736.
5 USC 2091 note.
73 Stat. 708.
5 USC 3001 note.

as the Office 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 Office; and

(D) to credit the period of their assignment under the arrangement under this section toward periodic or longevity step increases 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 Commissioner 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;

72 Stat. 1064.
5 USC 2267 note.

70 Stat. 743.
5 USC 2251 note.

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 Office 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 (C) 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 (D) are made to such civil service retirement and disability fund.

68 Stat. 736.
5 USC 2091 note.
73 Stat. 708.
5 USC 3001 note.

(4) Any such officer or employee on leave without pay 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.

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

(d) Assignment of any officer or employee in the Office to a State under this section may be made with or without reimbursement 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.

(e) Appropriations to the Office shall be available, in accordance with the standardized Government travel regulations, for the expenses of travel of officers and employees assigned to States under an arrangement under this section 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.

(f) Officers and employees of States who are assigned to the Office under an arrangement under this section may (1) be given appointments in the Office covering the periods of such assignments, or (2) be considered to be on detail to the Office. Appointments of persons so assigned may be made without regard to the civil service laws. Persons so appointed in the Office 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 Office for the purposes of (1) the Civil Service Retirement Act, (2) the Federal Employees' Group Life Insurance Act of 1954, or (3) 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 Office without appointment shall not be considered to be officers or employees of the Office, except as provided in subsection (g), nor shall they be paid a salary or wage by the Office during the period of their assignment. The supervision of the duties of such persons during the assignment may be governed by agreement between the Commissioner and the State involved.

63 Stat. 954; 78 Stat. 400. 5 USC 1071 note. 70 Stat. 743. 5 USC 2251 note. 68 Stat. 736. 5 USC 2091 note.

73 Stat. 708. 5 USC 3001 note.

(g) (1) Any State officer or employee who is assigned to the Office 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.

Conflict-of-interest.

76 Stat. 1121.

(2) Any State officer or employee who is given an appointment while assigned to the Office, or who is assigned to the Office without appointment, under an arrangement under this section, 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.

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

(h) The appropriations to the Office shall be available, in accordance with the standardized Government travel regulations, 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 Office under an arrangement under this section.

(i) All arrangements under this section for assignment of officers or employees in the Office to States or for assignments of officers or employees of States to the Office shall be made in accordance with regulations of the Commissioner.

ADMINISTRATION OF STATE PLANS

SEC. 508. (a) The Commissioner shall not finally disapprove any application submitted under section 504, or any modification thereof, without first affording the State educational agency submitting the application reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State educational agency administering a program under an application approved under this title, finds—

(1) that the application has been so changed that it no longer complies with the provisions of section 504(a), or

(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State educational 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. 509. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of an application submitted under section 504(a) or with his final action under section 508(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.

PERIODIC REVIEW OF PROGRAM AND LAWS

SEC. 510. (a) The Secretary shall, within ninety days after the date of enactment of this title, appoint an Advisory Council on State Departments of Education for the purpose of reviewing the administration of the programs for which funds are appropriated pursuant to this title and making recommendations for improvement of such

administration, and reviewing the status of and making recommendations with respect to such programs and this title and with respect to other Acts under which funds are appropriated to assist State educational agencies to administer Federal programs relating to education.

(b) The Council shall be appointed by the Secretary without regard to the civil service laws and shall consist of twelve persons who shall, to the extent possible, include persons familiar with the educational needs of the Nation, persons familiar with the administration of State and local educational programs, and persons representative of the general public.

(c) The Secretary is authorized to engage such technical assistance as may be required to carry out the functions of the Council, and the Secretary shall, in addition, make available to the Council 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 such functions.

(d) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title and of other education Acts) to the Secretary not later than March 31 of each calendar year beginning after the enactment of this title. The Secretary shall transmit each such report to the President and the Congress together with his comments and recommendations.

Report to President and Congress.

(e) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, 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 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 Government service employed intermittently.

60 Stat. 808; 75 Stat. 339, 340.

TITLE VI—GENERAL PROVISIONS

DEFINITIONS

SEC. 601. As used in titles II, III, and V of this Act—

(a) The term "Commissioner" means the Commissioner of Education.

(b) The term "construction" means (1) erection of new or expansion of existing structures, and the acquisition and installation of equipment therefor; or (2) acquisition of existing structures not owned by any agency or institution making application for assistance under this Act; or (3) remodeling or alteration (including the acquisition, installation, modernization, or replacement of equipment) of existing structures; or (4) a combination of any two or more of the foregoing.

(c) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law.

(d) The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and audio-visual instructional materials, and books, periodicals, documents, and other related materials.

(e) The term "institution of higher education" means an educational institution in any State which—

(1) admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) is legally authorized within such State to provide a program of education beyond high school;

(3) provides an educational program for which it awards a bachelor's degree, or provides not less than a two-year program which is acceptable for full credit toward such a degree, or offers a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(4) is a public or other nonprofit institution; and

(5) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this paragraph or, if not so accredited, is an institution 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: *Provided, however*, That in the case of an institution offering a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions to participate under this Act and shall also determine whether particular institutions meet such standards. For the purposes of this paragraph the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of education or training offered.

(f) 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 also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(g) The term "nonprofit" as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit 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.

(h) The term "secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.

(i) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(j) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands and for purposes of title II and title III, such term includes the Trust Territory of the Pacific Islands.

(k) 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 no such officer or agency, an officer or agency designated by the Governor or by State law.

ADVISORY COUNCILS

SEC. 602. (a) The Commissioner may, without regard to the civil service laws, and subject to the Secretary's approval in such cases as the Secretary may prescribe, from time to time appoint, in addition to the advisory councils and committees authorized in preceding titles, an advisory council of ten members to advise and consult with the Commissioner with respect to his functions under this law.

(b) Members of such an advisory council who are not regular full-time employees of the United States shall, while attending meetings or conferences of such council or otherwise engaged on business of such council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, 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 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.

FEDERAL ADMINISTRATION

SEC. 603. (a) The Commissioner may delegate any of his functions under this Act or any Act amended by this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act or any Act amended by this Act, 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 appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 604. 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 school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

49-850 O-66—7

LIMITATION ON PAYMENTS UNDER THIS ACT

SEC. 605. Nothing contained in this Act shall be construed to authorize the making of any payment under this Act, or under any Act amended by this Act, for religious worship or instruction.

Approved April 11, 1965.

Public Law 89-11

April 14, 1965
[S. 307]

AN ACT

Granting the consent of Congress to a compact relating to taxation of motor fuels consumed by interstate buses and to an agreement relating to bus taxation proration and reciprocity.

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

TITLE I

Motor fuels taxation compact.
Consent of Congress.

SECTION 101. The consent of Congress is hereby given to the States of Maine, Massachusetts, New Hampshire, Pennsylvania, and Maryland, and to the District of Columbia to enter into a compact on taxation of motor fuels consumed by interstate buses. But before any other States, any Province of Canada, or any State or territory or the Federal District of Mexico shall be made a party to such compact, the further consent of Congress shall first be obtained. Such compact shall be in substantially the following form:

"COMPACT ON TAXATION OF MOTOR FUELS CONSUMED BY INTERSTATE BUSES

"ARTICLE I—PURPOSES

"The purposes of this agreement are to—

"(a) avoid multiple taxation of motor fuels consumed by interstate buses and to assure each State of its fair share of motor fuel taxes;

"(b) establish and facilitate the administration of a criterion of motor fuel taxation for interstate buses which is reasonably related to the use of highway and related facilities and services in each of the party States; and

"(c) encourage the availability of a maximum number of buses for intrastate service by removing motor fuel taxation as a deterrent in the routing of interstate buses.

"ARTICLE II—DEFINITIONS

"(a) State: State shall include the States of the United States, the District of Columbia, the territories of the United States, the Provinces of Canada, and the States, Territories, and Federal District of Mexico.

"(b) Contracting State: Contracting State shall mean a State which is a party to this agreement.

"(c) Administrator: Administrator shall mean the official or agency of a State administering the motor fuel taxes involved.

"(d) Person: Person shall include any individual, firm, copartnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

"(e) Bus: Bus shall mean any motor vehicle of a bus type engaged in the interstate transportation of passengers and subject to the jurisdiction of the Interstate Commerce Commission or any agency successor thereto, or one or more State regulatory agencies concerned with the regulation of passenger transport.

"(f) Gallon: Gallon shall mean the liquid measure containing 231 cubic inches.

"ARTICLE III—GOVERNING PRINCIPLE

"For purposes of this compact, the primary principle for the imposition of motor fuel taxes shall be consumption of such fuel within the State. Motor fuel consumed by buses shall be taxed on the existing basis, as it may be from time to time, and under the procedures for collection of such taxes by each party State, except that to the extent that this compact makes provision therefor, or for any matter connected therewith, such provision shall govern.

"ARTICLE IV—HOW FUEL CONSUMED TO BE ASCERTAINED

"The amount of fuel used in the operation of any bus within this State shall be conclusively presumed to be the number of miles operated by such bus within the State divided by the average mileage per gallon obtained by the bus during the tax period in all operations, whether within or without the party State. Any owner or operator of two or more buses shall calculate average mileage within the meaning of this article by computing single average figures covering all buses owned or operated by him.

"ARTICLE V—IMPOSITION OF TAX

"Every owner or operator of buses shall pay to the party State taxes equivalent to the amount of tax per gallon multiplied by the number of gallons used in its operations in the party State.

"ARTICLE VI—REPORTS

"On or before the last business day of the month following the month being reported upon, each bus owner or operator subject to the payment of fuel taxes pursuant to this compact shall make such reports of its operations as the State administrator of motor fuel taxes may require and shall furnish the State administrator in each other party State wherein his buses operate a copy of such report.

"ARTICLE VII—CREDIT FOR PAYMENT OF FUEL TAXES

"Each bus owner or operator shall be entitled to a credit equivalent to the amount of tax per gallon on all motor fuel purchased by such operator within the party State for use in operations either within or without the party State, and upon which the motor fuel tax imposed by the laws of such party State has been paid.

"ARTICLE VIII—ADDITIONAL TAX OR REFUND

"If the bus owner or operator's monthly report shows a debit balance after taking credit pursuant to article VII, a remittance in such net amount due shall be made with the report. If the report shows a credit balance, after taking credit as herein provided, a refund in such net amount as has been overpaid shall be made by the party State to such owner or operator.

"ARTICLE IX—ENTRY INTO FORCE AND WITHDRAWAL

"This compact shall enter into force when enacted into law by any two States. Thereafter it shall enter into force and become binding upon any State subsequently joining when such State has enacted the compact into law. Withdrawal from the compact shall be by act of the legislature of a party State, but shall not take effect until one year after the Governor of the withdrawing State has notified the Governor of each other party State, in writing, of the withdrawal.

"ARTICLE X—CONSTRUCTION AND SEVERABILITY

"This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any State or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstances shall not be affected thereby. If this compact shall be held contrary to the constitution of any State participating herein, the compact shall remain in full force and effect as to the remaining party States and in full force and effect as to the State affected as to all severable matters."

Definitions.

SEC. 102. As used in the compact set forth in section 101 with reference to the District of Columbia—

(1) the term "Legislature" shall mean the Congress of the United States; and

(2) the term "Governor" shall mean the Board of Commissioners of the District of Columbia.

SEC. 103. The Board of Commissioners of the District of Columbia shall enter into the compact authorized by section 101 of this title without further action on the part of the Congress, and issue such rules and regulations as may be necessary for the implementation of such compact. Notwithstanding any provision of this Act, nothing herein 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 (other than the entry into a compact authorized by this Act) 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 title 1 app.

D.C. inconsistent laws.

SEC. 104. All provisions of law applicable to the District of Columbia shall, to the extent they are inconsistent with the compact authorized by this title, be inapplicable to the taxation of buses (as that term is defined in the compact) in the District of Columbia during such time as the District is a party to such compact.

SEC. 105. The right to alter, amend, or repeal this title is expressly reserved.

TITLE II

Bus taxation proration and reciprocity compact, consent of Congress.

SEC. 201. The consent of Congress is hereby given to the States of Maine, New Hampshire, Pennsylvania, Maryland, and New York, and to the District of Columbia to enter into a compact providing for bus taxation proration and reciprocity. But before any other State, any Province of Canada, or any State or territory or the Federal District of Mexico shall be made a party to such compact, the further consent of Congress shall first be obtained. Such compact shall be in substantially the following form:

"BUS TAXATION PRORATION AND RECIPROCITY AGREEMENT

"ARTICLE I—PURPOSES AND PRINCIPLES

"SEC. 1. Purposes of agreement: It is the purpose of this agreement to set up a system whereby any contracting State may permit owners of fleets of buses operating in two or more States to prorate the registration of the buses in such fleets in each State in which the fleets operate on the basis of the proportion of miles operated within such State to total fleet miles, as defined herein.

"SEC. 2. Principle of proration of registration: It is hereby declared that in making this agreement the contracting States adhere to the principle that each State should have the freedom to develop the kind of highway user tax structure that it determines to be most appropriate to itself, that the method of taxation of interstate buses should not be a determining factor in developing its user tax structure, and that annual taxes or other taxes of the fixed-fee type upon buses which are not imposed on a basis that reflects the amount of highway use should be apportioned among the States, within the limits of practicality, on the basis of vehicle miles traveled within each of the States.

"ARTICLE II—DEFINITIONS

"(a) State: State shall include the States of the United States, the District of Columbia, the territories of the United States, the Provinces of Canada, and the States, Territories, and Federal District of Mexico.

"(b) Contracting State: Contracting State shall mean a State which is a party to this agreement.

"(c) Administrator: Administrator shall mean the official or agency of a State administering the fee involved, or, in the case of proration of registration, the official or agency of a State administering the proration of registration in that State.

"(d) Person: Person shall include any individual, firm, copartnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

"(e) Base State: Base State shall mean the State from or in which the bus is most frequently dispatched, garaged, serviced, maintained, operated, or otherwise controlled, or also in the case of a fleet bus the State to which it is allocated for registration under statutory requirements. In order that this section may not be used for the purpose of evasion of registration fees, the administrators of the contracting States may make the final decision as to the proper base State, in accordance with article III(h) hereof, to prevent or avoid such evasion.

"(f) Bus: Bus shall mean any motor vehicle of a bus type engaged in the interstate transportation of passengers and subject to the jurisdiction of the Interstate Commerce Commission, or any agency successor thereto, or one or more State regulatory agencies concerned with the regulation of passenger transport.

"(g) Fleet: As to each contracting State, fleet shall include only those buses which actually travel a portion of their total miles in such State. A fleet must include three or more buses.

"(h) Registration: Registration shall mean the registration of a bus and the payment of annual fees and taxes as set forth in or pursuant to the laws of the respective contracting States.

"(i) Proration of registration: Proration of registration shall mean registration of fleets of buses in accordance with article IV of this agreement.

"(j) Reciprocity: Reciprocity shall mean that each contracting State, to the extent provided in this agreement, exempts a bus from registration and registration fees.

"ARTICLE III—GENERAL PROVISIONS

"(a) Effect on other agreements, arrangements, and understandings: On and after its effective date, this agreement shall supersede any reciprocal or other agreement, arrangement, or understanding between any two or more of the contracting States covering, in whole or in part, any of the matters covered by this agreement; but this agreement shall not affect any reciprocal or other agreement, arrangement, or understanding between a contracting State and a State or States not party to this agreement.

"(b) Applicability to exempt vehicles: This agreement shall not require registration in a contracting State of any vehicles which are in whole or part exempt from registration under the laws or regulations of such State without respect to this agreement.

"(c) Inapplicability to caravaned vehicles: The benefits and privileges of this agreement shall not be extended to a vehicle operated on its own wheels, or in tow of a motor vehicle, transported for the purpose of selling or offering the same for sale to or by any agent, dealer, purchaser, or prospective purchaser.

"(d) Other fees and taxes: This agreement does not waive any fees or taxes charged or levied by any State in connection with the ownership or operation of vehicles other than registration fees as defined herein. All other fees and taxes shall be paid to each State in accordance with the laws thereof.

"(e) Statutory vehicle regulations: This agreement shall not authorize the operation of a vehicle in any contracting State contrary to the laws or regulations thereof, except those pertaining to registration and payment of fees; and with respect to such laws or regulations, only to the extent provided in this agreement.

"(f) Violations: Each contracting State reserves the right to withdraw, by order of the administrator thereof, all or any part of the benefits or privileges granted pursuant to this agreement from the owner of any vehicle or fleet of vehicles operated in violation of any provision of this agreement. The administrator shall immediately give notice of any such violation and withdrawal of any such benefits or privileges to the administrator of each other contracting State in which vehicles of such owner are operated.

"(g) Cooperation: The administrator of each of the contracting States shall cooperate with the administrators of the others and each contracting State hereby agrees to furnish such aid and assistance to each other within its statutory authority as will aid in the proper enforcement of this agreement.

"(h) Interpretation: In any dispute between or among contracting States arising under this agreement, the final decision regarding interpretation of questions at issue relating to this agreement shall be reached by joint action of the contracting States, acting through the administrator thereof, and shall upon determination be placed in writing.

"(i) Effect of headings: Article and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any article or part hereof.

"(j) Entry into force: This agreement shall enter into force and become binding between and among the contracting States when enacted or otherwise entered into by any two States. Thereafter, it shall enter into force and become binding with respect to any State when enacted into law by such State. If the statutes of any State so authorize or provide, such State may become party to this agreement upon the execution thereof by an executive or administrative official thereof acting on behalf of and for such State.

"ARTICLE IV—PRORATION OF REGISTRATION

"(a) Applicability: Any owner of a fleet may register the buses of said fleet in any contracting State by paying to said State total registration fees in an amount equal to that obtained by applying the proportion of in-State fleet miles divided by the total fleet miles, to the total fees which would otherwise be required for regular registration of each of all such vehicles in such contracting State.

Registration year.

"All fleet pro rata registration fees shall be based upon the mileage proportions of the fleet during the period of twelve months ending on August 31 next preceding the commencement of the registration year for which registration is sought: Except, that mileage proportions for a fleet not operated during such period in the State where application for registration is made will be determined by the Administrator upon the sworn application of the applicant showing the operations during such period in other States and the estimated operations during the registration year for which registration is sought, in the State in which application is being made; or if no operations were conducted during such period a full statement of the proposed method of operation.

"If any buses operate in two or more States which permit the proration of registration on the basis of a fleet of buses consisting of a lesser number of vehicles than provided in article II(g), such fleet may be prorated as to registration in such States, in which event the buses in such fleet shall not be required to register in any other contracting States if each such vehicle is registered in some contracting State (except to the extent it is exempt from registration as provided in article III(b)).

Limitation of buses within a State.

"If the administrator of any State determines, based on his method of the operation thereof, that the inclusion of a bus or buses as a part of a fleet would adversely affect the proper fleet fee which should be paid to his State, having due regard for fairness and equity, he may refuse to permit any or all of such buses to be included in his State as a part of such fleet.

"(b) Total fleet miles: Total fleet miles, with respect to each contracting State, shall mean the total miles operated by the fleet (1) in such State, (2) in all other contracting States, (3) in other States having proportional registration provisions, (4) in States with which such contracting State has reciprocity, and (5) in such other States as the administrator determines should be included under the circumstances in order to protect or promote the interest of his State; except that in States having laws requiring proration on the basis of a different determination of total fleet miles, total fleet miles shall be determined on such basis.

"(c) Leased vehicles: If a bus is operated by a person other than the owner as a part of a fleet which is subject to the provisions of this article, then the operator of such fleet shall be deemed to be the owner of said bus for the purposes of this article.

"(d) Extent of privileges: Upon the registration of a fleet in a contracting State pursuant to this article, each bus in the fleet may be operated in both interstate and intrastate operations in such State (except as provided in article III(e)).

"(e) Application for proration: The application for proration of registration shall be made in each contracting State upon substantially the application forms and supplements authorized by joint action of the administrators of the contracting States.

"(f) Issuance of identification: Upon registration of a fleet, the State which is the base State of a particular bus of the fleet shall issue the required license plates and registration card for such bus and each contracting State in which the fleet of which such bus is a part operates shall issue a special identification identifying such bus as a part of a fleet which has fully complied with the registration requirements of such State. The required license plates, registration cards, and identification shall be appropriately displayed in the manner required by or pursuant to the laws of each respective State.

"(g) Additions to fleet: If any bus is added to a prorated fleet after the filing of the original application, the owner shall file a supplemental application. The owner shall register such bus in each contracting State in like manner as provided for buses listed in an original application and the registration fee payable shall be determined on the mileage proportion used to determine the registration fees payable for buses registered under the original application.

"(h) Withdrawals from fleet: If any bus is withdrawn from a prorated fleet during the period for which it is registered or identified, the owner shall notify the administrator of each State in which it is registered or identified of such withdrawal and shall return the plates and registration card or identification as may be required by or pursuant to the laws of the respective States.

"(i) Audits: The Administrator of each contracting State shall, within the statutory authority of such administrator, make any information obtained upon an audit of records of any applicant for proration of registration available to the administrators of the other contracting States.

"(j) Errors in registration: If it is determined by the administrator of a contracting State, as a result of such audits or otherwise, that an improper fee has been paid his State, or errors in registration found, the administrator may require the fleet owner to make the necessary corrections in the registration of his fleet and payment of fees.

"ARTICLE V—RECIPROCITY

"(a) Grant of reciprocity: Each of the contracting States grants reciprocity as provided in this article.

"(b) Applicability: The provisions of this agreement with respect to reciprocity shall apply only to a bus properly registered in the base State of the bus, which State must be a contracting State.

"(c) Nonapplicability to fleet buses: The reciprocity granted pursuant to this article shall not apply to a bus which is entitled to be registered or identified as part of a prorated fleet.

"(d) Extent of reciprocity: The reciprocity granted pursuant to this article shall permit the interstate operation of a bus and intra-

state operation which is incidental to a trip of such bus involving interstate operation.

"(e) Other agreements: Nothing in this agreement shall be construed to prohibit any of the contracting States from entering into separate agreements with each other for the granting of temporary permits for the intrastate operation of vehicles registered in the other State; nor to prevent any of the contracting States from entering into agreements to grant reciprocity for intrastate operation within any zone or zones agreed upon by the States.

"ARTICLE VI—WITHDRAWAL OR REVOCATION

"Any contracting State may withdraw from this agreement upon thirty days' written notice to each other contracting State, which notice shall be given only after the repeal of this agreement by the legislature of such State, if adoption was by legislative act, or after renunciation by the appropriate administrative official of such contracting State if the laws thereof empower him so to renounce.

"ARTICLE VII—CONSTRUCTION AND SEVERABILITY

"This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any State or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any State participating herein, the compact shall remain in full force and effect as to the remaining party States and in full force and effect as to the State affected as to all severable matters."

SEC. 202. The Board of Commissioners of the District of Columbia shall have the power to make such exemptions from the coverage of the agreement as may be appropriate and to make such changes in methods for the reporting of any information required to be furnished to the District of Columbia pursuant to the agreement as, in its judgment, shall be suitable: *Provided*, That any such exemptions or changes shall not be contrary to the purposes set forth in article I of the agreement and shall be made in order to permit the continuance of uniformity of practice among the contracting States with respect to buses.

SEC. 203. The Board of Commissioners of the District of Columbia shall enter into the agreement authorized by section 201 of this title without further action on the part of the Congress, and issue such rules and regulations as may be necessary for the implementation of such agreement. Notwithstanding any provision of this Act, nothing herein 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 (other than the entry into a compact authorized by this Act) 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 title 1 app.

SEC. 204. All provisions of law applicable to the District of Columbia shall, to the extent they are inconsistent with the agreement

D.C., inconsistent laws.

authorized by this title, be inapplicable to the taxation and registration of buses in the District of Columbia during such time as the District is a party to such agreement.

D.C. Notice of withdrawal by Commissioners.

SEC. 205. Unless otherwise provided in any statute withdrawing the District of Columbia from participation in the agreement, the Board of Commissioners of the District of Columbia shall be the officer to give notice of withdrawal therefrom.

SEC. 206. The right to alter, amend, or repeal this title is expressly reserved.

Approved April 14, 1965.

Public Law 89-12

April 16, 1965 [H. R. 5721]

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended, to provide for acreage-poundage marketing quotas for tobacco, to amend the tobacco price support provisions of the Agricultural Act of 1949, as amended, and for other purposes.

Tobacco. Marketing quotas. 52 Stat. 31. 7 USC 1281.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, hereinafter referred to as the "Act", is amended by adding immediately following section 316 a section 317 to read as follows:

"ACREAGE-POUNDAGE QUOTAS

Definitions.

"SEC. 317. (a) For purposes of this section—

"(1) 'National marketing quota' for any kind of tobacco for a marketing year means the amount of the kind of tobacco produced in the United States which the Secretary estimates will be utilized during the marketing year in the United States and will be exported during the marketing year, adjusted upward or downward in such amount as the Secretary, in his discretion, determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. Any such downward adjustment shall not exceed 15 per centum of such estimated utilization and exports.

"(2) 'National average yield goal' for any kind of tobacco means the yield per acre which on a national average basis the Secretary determines will improve or insure the usability of the tobacco and increase the net return per pound to the growers. In making this determination the Secretary shall give consideration to such Federal-State production research data as he deems relevant.

"(3) 'National acreage allotment' means the acreage determined by dividing the national marketing quota by the national average yield goal.

"(4) 'Farm acreage allotment' for a tobacco farm, other than a new tobacco farm, means the acreage allotment determined by adjusting uniformly the acreage allotment established for such farm for the immediately preceding year, prior to any increase or decrease in such allotment due to undermarketings or overmarketings and prior to any reduction under subsection (f), so that the total of all allotments is equal to the national acreage allotment less the reserve provided in subsection (e) of this section with a further downward or upward adjustment to reflect any adjustment in the farm marketing quota for overmarketing or undermarketing and to reflect any reduction required under subsection (f) of this section, and including any adjustment for

errors or inequities from the reserve. In determining farm acreage allotments for Flue-cured tobacco for 1965, the 1965 farm allotment determined under section 313 shall be adjusted in lieu of the acreage allotment for the immediately preceding year. 7 USC 1313.

"(5) The 'community average yield' means for Flue-cured tobacco the average yield per acre in the community designated by the Secretary as a local administrative area under the provisions of section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, which is determined by averaging the yields per acre for the three highest years of the five years 1959 to 1963, inclusive, except that if the yield for any of the three highest years is less than 80 per centum of the average for the three years then that year or years shall be eliminated and the average of the remaining years shall be the community average yield. Community average yields for other kinds of tobacco shall be determined in like manner, except that the five years 1960 to 1964, inclusive, may be used instead of the period 1959 to 1963, as determined by the Secretary. 16 USC 590h.

"(6)(A) 'Preliminary farm yield' for Flue-cured tobacco means a farm yield per acre determined by averaging the yield per acre for the three highest years of the five consecutive crop years beginning with the 1959 crop year except that if that average exceeds 120 per centum of the community average yield the preliminary farm yield shall be the sum of 50 per centum of the average of the three highest years and 50 per centum of the national average yield goal but not less than 120 per centum of the community average yield, and if the average of the three highest years is less than 80 per centum of the community average yield the preliminary farm yield shall be 80 per centum of the community average yield. In counties where less than five hundred acres of Flue-cured tobacco were allotted for 1964, the county may be considered as one community. If Flue-cured tobacco was not produced on the farm for at least three years of the five-year period the average of the yields for the years in which tobacco was produced shall be used instead of the three-year average. If no Flue-cured tobacco was produced on the farm in the five-year period but the farm is eligible for an allotment because Flue-cured tobacco was considered to have been produced under applicable provisions of law, a preliminary farm yield for the farm shall be determined under regulations of the Secretary taking into account preliminary farm yields of similar farms in the community.

"(B) 'Preliminary farm yield' for kinds of tobacco, other than Flue-cured, means a farm yield per acre determined in accordance with subparagraph (A) of this paragraph (6) except that in lieu of the five consecutive crop years beginning with 1959 the years 1960 to 1964, inclusive, may be used, as determined by the Secretary. In counties where less than five hundred acres of the kind of tobacco for which the determination is being made were allotted in the last year of the five-year period the county may be considered as one community. If tobacco of the kind for which the determination is being made was not produced on the farm for at least three years of the five-year period, the average of the yields for the years in which the kind of tobacco was produced shall be used instead of the three-year average. If no tobacco of the kind for which the determination is being made was produced on the farm in the five-year period but the farm is eligible for an allotment because such tobacco was considered to have been produced under applicable provisions of law, a preliminary farm yield for the farm shall be determined under regulations of the Secretary taking into account preliminary farm yields of similar farms in the community.

"(7) 'Farm yield' means the yield of tobacco per acre for a farm determined by multiplying the preliminary farm yield by a national yield factor which shall be obtained by dividing the national average yield goal by a weighted national average yield computed by multiplying the preliminary farm yield for each farm by the acreage allotment determined pursuant to paragraph (4) for the farm prior to adjustments for overmarketing, undermarketing, or reductions required under subsection (f) and dividing the sum of the products by the national acreage allotment.

"(8) 'Farm marketing quota' for any farm for any marketing year shall be the number of pounds of tobacco obtained by multiplying the farm yield by the acreage allotment prior to any adjustment for undermarketing or overmarketing, increased for undermarketing or decreased for overmarketing by the number of pounds by which marketings of tobacco from the farm during the immediately preceding marketing year, if marketing quotas were in effect under the program established by this section, is less than or exceeds the farm marketing quota for such year: *Provided*, That the farm marketing quota for any marketing year shall not be increased for undermarketing by an amount in excess of the number of pounds determined by multiplying the acreage allotment for the farm for the immediately preceding year prior to any increase or decrease for undermarketing or overmarketing by the farm yield. If on account of excess marketings in the preceding marketing year the farm marketing quota for the marketing year is reduced to zero pounds without reflecting the entire reduction required, the additional reduction required shall be made for the subsequent marketing year or years. The farm marketing quota will be increased or decreased for the second succeeding marketing year in the case of Maryland tobacco, and for any other kind of tobacco for which the Secretary determines it is impracticable because of the lack of adequate marketing data, to make the increases or decreases applicable to the immediately succeeding marketing year.

Maryland tobacco, inadequate marketing data.

Referendum.

"(b) Within thirty days after the enactment of this section the Secretary pursuant to the provisions of subsection (a) of this section shall determine and announce the amount of the national marketing quota for Flue-cured tobacco for the marketing year beginning July 1, 1965, and the national acreage allotment and national average yield goal for the 1965 crop of Flue-cured tobacco, and within thirty days after the announcement of the amount of such national marketing quota shall conduct a special referendum of the farmers engaged in the production of Flue-cured tobacco of the 1964 crop to determine whether they favor or oppose the establishment of marketing quotas on an acreage-poundage basis as provided in this section for the marketing years beginning July 1, 1965, July 1, 1966, and July 1, 1967, in lieu of quotas on an acreage basis in effect for those marketing years. If the Secretary determines that more than 66⅔ per centum of the farmers voting in the special referendum approve marketing quotas on an acreage-poundage basis, marketing quotas on an acreage-poundage basis as provided in this section shall be in effect for those marketing years and the marketing quotas on an acreage basis shall cease to be in effect at the beginning of such three-year period.

"(c) Whenever, during the first or second marketing year of the three-year period for which marketing quotas on an acreage basis are in effect for any kind of tobacco, including Flue-cured tobacco, the Secretary, in his discretion, determines with respect to that kind of tobacco that acreage-poundage quotas under this section would result in a more effective marketing quota program for that kind of

tobacco he shall at the time the next announcement of the amount of the national marketing quota under section 312(b) of this Act determine and announce the amount of the national quota for that kind of tobacco under this section of the Act and at the same time announce the national acreage allotment and national average yield goal and within forty-five days thereafter conduct a special referendum of farmers engaged in the production of the kind of tobacco of the most recent crop to determine whether they favor the establishment of marketing quotas on an acreage-poundage basis as provided in this section for the next three marketing years: *Provided, however*, That the Secretary shall not make any such determination with respect to any kind of tobacco except Flue-cured tobacco unless prior thereto he shall conduct public hearings in the areas where such tobacco is produced for the purpose of ascertaining and taking into consideration the attitudes of producers and other interested persons with respect to acreage-poundage quotas. If the Secretary determines that more than 66⅔ per centum of the farmers voting in the special referendum approve marketing quotas on an acreage-poundage basis as provided in this section, quotas on that basis shall be in effect for the next three marketing years and the marketing quotas on an acreage basis shall cease to be in effect at the beginning of such three-year period. If marketing quotas on an acreage-poundage basis are not approved by more than 66⅔ per centum of the farmers voting in such referendum, the marketing quotas on an acreage basis shall continue in effect as theretofore proclaimed under section 312(a).

69 Stat. 557.
7 USC 1312.

"(d) If marketing quotas have been made effective for a kind of tobacco on an acreage-poundage basis pursuant to subsections (b) or (c) the Secretary shall, not later than December 1 of any marketing year with respect to Flue-cured tobacco, and February 1 with respect to other kinds of tobacco, proclaim a national marketing quota for that kind of tobacco for the next three succeeding marketing years if the marketing year is the last year of three consecutive years for which marketing quotas previously proclaimed will be in effect. The Secretary, in his discretion, may proclaim the quota on an acreage-poundage basis as provided in this section or on an acreage allotment basis, whichever he determines would result in a more effective marketing quota for that kind of tobacco, and shall conduct a referendum in accordance with the provisions of section 312(c) of this Act. If the Secretary determines that more than one-third of the farmers voting oppose the national marketing quotas the results shall be proclaimed and the national marketing quota so proclaimed shall not be in effect. If the Secretary proclaims the quotas on an acreage-poundage basis he shall determine and proclaim at the same time the national marketing quota, national acreage allotment, and national average yield goal for the first year of the three years for which quotas are proclaimed. Notice of the farm marketing quota which will be in effect for his farm for the first marketing year covered by the referendum insofar as practicable shall be mailed to the farm operator prior to the holding of any special referendum under subsection (b) or a referendum on acreage-poundage quotas under this subsection, and at least 15 days prior to the holding of any special referendum under subsection (c). The Secretary shall determine and announce the national marketing quota, national acreage allotment and national average yield goal for the second and third marketing years of any three-year period for which national marketing quotas on an acreage-poundage basis are in effect on or before the December 1 with respect to Flue-cured tobacco and the February 1 with respect to other kinds of tobacco immediately

preceding the beginning of the marketing year to which they apply. Whenever a national marketing quota, national acreage allotment, and national average yield goal are determined and announced, the Secretary shall provide for the determination of farm acreage allotments and farm marketing quotas under the provisions of this section for the crop and marketing year covered by the determinations.

"(e) No farm acreage allotment or farm yield shall be established for a farm on which no tobacco was produced or considered produced under applicable provisions of law for the immediately preceding five years. For each marketing year for which acreage-poundage quotas are in effect under this section the Secretary in his discretion may establish a reserve from the national acreage allotment in an amount equivalent to not more than 1 per centum of the national acreage allotment to be available for making corrections of errors in farm acreage allotments, adjusting inequities, and for establishing acreage allotments for new farms, which are farms on which tobacco was not produced or considered produced during the immediately preceding five years. The part of the reserve held for apportionment to new farms shall be allotted on the basis of land, labor, and equipment available for the production of tobacco, crop rotation practices, soil and other physical factors affecting the production of tobacco and the past tobacco-producing experience of the farm operator. The farm yield for any farm for which a new farm acreage allotment is established shall be determined on the basis of available productivity data for the land involved and farm yields for similar farms, and shall not exceed the community average yield.

53 Stat. 1261; 69 Stat. 24; 72 Stat. 291. 7 USC 1313.

"(f) Only the provisions of the last two sentences of subsection (g) of section 313 of this Act shall apply with respect to acreage-poundage programs established under this section. The acreage reductions required under the last two sentences shall be in addition to any other adjustments made pursuant to this section, and when acreage reductions are made the farm marketing quota shall be reduced to reflect such reductions. The provisions of the next to the last sentence of such subsection pertaining to the filing of any false report with respect to the acreage of tobacco grown on the farm shall also be applicable to the filing of any false report with respect to the production or marketings of tobacco grown on a farm for which an acreage allotment and a farm yield are established as provided in this section. In establishing acreage allotments and farm yields for other farms owned by the owner displaced by acquisition of his land by any agency, as provided in section 378 of this Act, increases or decreases in such acreage allotments and farm yields as provided in this section shall be made on account of marketings below or in excess of the farm marketing quota for the farm acquired by the agency. Acreage allotments and farm marketing quotas determined under this section may (except in the case of Burley tobacco, or other kinds of tobacco not subject to section 316) be leased under the terms and conditions contained in section 316 of this Act, except that (1) the adjustment provided for in the last sentence of subsection (c) of said section shall be based on farm yields rather than normal yields, and (2) any credit for undermarketing or charge for overmarketing shall be attributed to the farm to which transferred. Transfers of acreage allotments for 1965 under section 316 on the basis of leases executed prior to the effective date of a program for the 1965 crop of Flue-cured tobacco under this section may be approved or ratified by the county committee for the purposes of this section, but the amount of allotment transferred shall be increased or decreased in the same proportion that the allotment of the

72 Stat. 995. 7 USC 1378.

75 Stat. 469. 7 USC 1314b.

farm from which it is transferred is increased or decreased under this section.

"(g) When marketing quotas under this section are in effect, provisions with respect to penalties for the marketing of excess tobacco and the other provisions contained in section 314 of the Act shall apply, except that:

Penalties.

52 Stat. 48; 54 Stat. 393. 7 USC 1314.

"(1) No penalty on excess tobacco shall be due or collected until 110 per centum (120 per centum in the case of Burley tobacco for the first year for which marketing quotas are made effective under this section) of the farm marketing quota for a farm has been marketed, but with respect to each pound of tobacco marketed in excess of such percentage the full penalty rate shall be due, payable, and collected at the time of marketing on each pound of tobacco marketed, and any tobacco marketed in excess of 100 per centum of the farm marketing quota will require a reduction in subsequent farm marketing quotas in accordance with paragraph (a)(8): *Provided, however*, If the Secretary, in his discretion, determines it is desirable to encourage the marketing of grade N_2 tobacco, or any grade of tobacco not eligible for price support, in order to meet the normal demands of export and domestic markets, he may authorize the marketing of such tobacco in a marketing year without the payment of penalty or deduction from subsequent quotas to the extent of 5 per centum of the farm marketing quota for the farm on which the tobacco was produced.

"(2) When marketing quotas established under this section are in effect the provisions with respect to penalties contained in the third sentence of subsection 314(a) shall be revised to read: 'If any producer falsely identifies or fails to account for the disposition of any tobacco, the Secretary, in lieu of assessing and collecting penalties based on actual marketings of excess tobacco, may elect to assess a penalty computed by multiplying the full penalty rate by an amount of tobacco equal to 25 per centum of the farm marketing quota plus the farm yield of the number of acres harvested in excess of the farm acreage allotment and the penalty in respect thereof shall be paid and remitted by the producer.'

"(3) For the first year a marketing quota program established under the provisions of this section is in effect, the words 'normal production' where they appear in the fourth sentence of subsection (a) of such section shall be read 'farm yield' and the said fourth sentence shall otherwise be applicable. For the second and succeeding years for which a program established under the provisions of this section is in effect, the provisions of subsection (a)(8) shall apply when penalties, if any, on carryover tobacco are computed, and the provisions contained in the fourth sentence of subsection 314(a) shall not be applicable.

"(h) Notwithstanding any other provision of this section, for any year subsequent to the first year for which marketing quotas are made effective under this section for Burley tobacco—

Burley tobacco.

"(1) the farm acreage allotment for Burley tobacco under this section shall not be less than the smallest of (A) the acreage allotment established for the farm for such first year, (B) five-tenths of an acre, or (C) 10 per centum of the cropland; and

"(2) the farm marketing quota for Burley tobacco under this section shall not be less than the minimum allotment provided by clause (1) multiplied by the farm yield established for such first year for such farm.

Farm acreage allotments and marketing quotas to which the provisions of (1) and (2) are applicable shall be subject to adjustment for overmarketing or undermarketing or reductions required by subsection

(f). The additional acreage and quotas required under this subsection shall be in addition to the national acreage allotment and national marketing quota.

"Whenever the Secretary proclaims a quota on an acreage allotment basis (in lieu of on an acreage poundage basis)—

"(A) the minimum acreage allotment for Burley tobacco for any farm shall be determined under the provisions of the Act of July 12, 1952, as amended (7 U.S.C. 1315) instead of under the preceding provisions of this subsection;

69 Stat. 24.

"(B) clause (1) of the Act of July 12, 1952, shall for such purpose read as follows: '(1) the allotment established for the farm for the last preceding year for which a quota was proclaimed on an acreage allotment basis'; and

"(C) the proviso of that Act shall for such purpose read as follows: '*Provided, however*, That no allotment of seven-tenths of an acre or less shall be reduced more than one-tenth of an acre below the allotment established for the farm for the last preceding year for which a quota was proclaimed on an acreage allotment basis'.

"(i) If an acreage-poundage program for Flue-cured tobacco is approved by growers voting in the special referendum under subsection (b), the Secretary shall not later than January 1, 1966—

"(1) Consult with representatives of all segments of the tobacco industry, including growers, State farm organizations, and cooperative associations, in meetings held for each kind of tobacco, to receive their recommendations and to determine the need for a similar or modified program for that kind of tobacco.

Report to congressional committees.

"(2) Conduct a study and report to the House Committee on Agriculture and the Senate Committee on Agriculture and Forestry on experience with and operation of the program, and make recommendations for any modifications needed to improve the program, including alternatives adapted to the different needs of other kinds of tobacco."

SEC. 2. Subsection (j) of section 313 of the Agricultural Adjustment Act of 1938, as added by Public Law 361, 84th Congress, approved August 11, 1955, is amended by inserting immediately following the language "(g) hereof" wherever it appears in said subsection the language "or section 317".

69 Stat. 684.
7 USC 1313.

Price support.
74 Stat. 6.
7 USC 1445.

SEC. 3. Section 106 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following:

"(c) If acreage-poundage farm marketing quotas are in effect under section 317 of the Agricultural Adjustment Act of 1938, as amended, (1) price support shall not be made available on tobacco marketed in excess of 110 per centum (120 per centum in the case of Burley tobacco for the first year for which marketing quotas are made effective under this section) of the marketing quota for the farm on which such tobacco was produced, and (2) for the purpose of price-support eligibility, tobacco carried over from one marketing year to another to avoid marketings in excess of the farm marketing quota shall, when marketed, be considered tobacco of the then current crop."

Ante, p. 66.

SEC. 4. Nothing in this Act shall be construed as affecting the authority or responsibility of the Secretary of Agriculture under section 301(b)(15) or section 313(i) of the Agricultural Adjustment Act of 1938 with respect to providing that different types of tobacco shall be treated as different kinds of tobacco, or with respect to increasing allotments or quotas for farms producing certain types of tobacco.

54 Stat. 1210;
65 Stat. 422.
7 USC 1301,
1313.

Approved April 16, 1965.

Public Law 89-13

AN ACT

April 20, 1965
[H. R. 4527]

To authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

Coast Guard. Appropriation.

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 1966 for the use of the Coast Guard as follows:

Vessels

For procurement, extension of service life, and increasing capability of vessels, $71,316,000.

(A) Procurement:

(1) three high-endurance cutters;

(2) five medium-endurance cutters;

(3) two inland tenders;

(4) one river tender; and

(5) three small patrol cutters.

(B) Extension of service life:

(1) improve icebreakers;

(2) enlarge operations center on four 255-foot high-endurance cutters; and

(3) rehabilitate one 183-foot reserve training vessel.

(C) Increasing capability:

(1) install oceanographic equipment on nine high-endurance cutters;

(2) install secure communications on seven high-endurance cutters;

(3) improve two seagoing tenders by installation of bow thrusters; and

(4) convert one barge for operation with river tender.

Aircraft

For procurement of aircraft, $16,498,000:

(1) thirteen medium-range helicopters;

(2) four long-range helicopters; and

(3) one long-range aircraft.

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, $26,436,000:

(1) Atlantic Coast: Offshore light platform at New York Harbor entrance;

(2) Air Station, New Orleans, Louisiana: Hangar construction;

(3) Alaska: Hangar fire protection at air station, Annette Island, and landing pads for helicopters at various locations;

(4) Saugerties, New York: Operational, administrative, and maintenance facilities for light attendant station;

(5) Station, Boothbay Harbor, Maine: Operational, administrative, and maintenance facilities and public family quarters;

(6) Station, Ocean City, Maryland: Moorings;

(7) Rio Vista, California: Operational, administrative, and maintenance facilities for multipurpose Coast Guard station;

(8) Electronics Engineering Station, Wildwood, New Jersey: Administration-laboratory building and supply building;

(9) Southern California: Communications facilities improvement;

(10) Base, Galveston, Texas: Pier for medium-endurance cutter;

(11) Base, South Portland, Maine: Operational and administrative facilities;

(12) Grand Isle, Louisiana: Loran-A station;

(13) Station, New Castle, New Hampshire: Operational, administrative, and maintenance facilities and public family quarters;

(14) Station, Ilwaco, Washington: Operational, administrative, and maintenance facilities and public family quarters;

(15) Station, Avon, New Jersey: Barracks building and public family quarters;

(16) Florence, Nebraska: Moorings for river tender;

(17) Base, New Orleans, Louisiana: Barracks and administrative and operations facility on leased premises with long-term lease;

(18) Air Station, Elizabeth City, North Carolina: Barracks building and sewage disposal facility;

(19) Air Station, Barbers Point, Hawaii: Barracks building;

(20) Yard, Curtis Bay, Maryland: Replace crane;

(21) Station, Corpus Christi, Texas: Wharf extension for medium-endurance cutters;

(22) Recruit Training Center, Cape May, New Jersey: Barracks building;

(23) Recruit Training Center, Alameda, California: Galley and mess hall building;

(24) Academy, New London, Connecticut: Develop waterfront and other improvements;

(25) Various locations: Aids to navigation projects including, where necessary, advance planning and acquisition of sites;

(26) Various locations: Advance planning, construction design, architectural services, and acquisition of sites in connection with public works projects not otherwise authorized by law; and

(27) Fort Jay, Governor's Island, New York: Alteration, addition, expansion, and extension to facilities acquired from the Department of the Army.

Approved April 20, 1965.

Public Law 89-14

April 22, 1965
[H. R. 4778]

AN ACT

To increase the amounts authorized for Indian adult vocational education.

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 relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (25 U.S.C. 309a), is amended by striking out "$12,000,000" and inserting in lieu thereof "$15,000,000".

77 Stat. 471.

Approved April 22, 1965.

Public Law 89-15

AN ACT

April 26, 1965
[S. 974]

To amend the Manpower Development and Training Act of 1962, 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 this Act may be cited as the "Manpower Act of 1965".

Manpower Act of 1965.

SEC. 2. Section 101 of the Manpower Development and Training Act of 1962, as amended (hereinafter referred to as the "Act"), is amended by inserting before the last sentence thereof the following new sentence: "The Congress further finds that many professional employees who have become unemployed because of the specialized nature of their previous employment are in need of brief refresher or reorientation educational courses in order to become qualified for other employment in their professions, where such training would further the purposes of this Act."

76 Stat. 23.
42 USC 2571.

SEC. 3. (a) Section 102(5) of the Act is amended by adding a comma after the word "arrange" and inserting "through grants or contracts," immediately following the comma.

42 USC 2572.

(b) Section 102 of the Act is further amended by striking out "and" at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu of such period "; and", and by adding at the end of such section the following new paragraph:

"(6) establish a program of experimental, developmental, demonstration, and pilot projects, through grants to or contracts with public or private nonprofit organizations, or through contracts with other private organizations, for the purpose of improving techniques and demonstrating the effectiveness of specialized methods in meeting the manpower, employment, and training problems of worker groups such as the long-term unemployed, disadvantaged youth, displaced older workers, the handicapped, members of minority groups, and other similar groups. In carrying out this subsection the Secretary of Labor shall, where appropriate, consult with the Secretaries of Health, Education, and Welfare, and Commerce, and the Director of the Office of Economic Opportunity. Where programs under this paragraph require institutional training, appropriate arrangements for such training shall be agreed to by the Secretary of Labor and the Secretary of Health, Education, and Welfare. He shall also seek the advice of consultants with respect to the standards governing the adequacy and design of proposals, the ability of applicants, and the priority of projects in meeting the objectives of this Act."

SEC. 4. (a) Title I of the Act is amended by renumbering sections 103 and 104 as sections 106 and 107, respectively, and by inserting immediately after section 102 the following new sections:

42 USC 2573, 2574.

"JOB DEVELOPMENT PROGRAMS

"SEC. 103. The Secretary of Labor shall stimulate and assist, in cooperation with interested agencies both public and private, job development programs, through on-the-job training and other suitable methods, that will serve to expand employment by the filling of those service and related needs which are not now being met because of lack of trained workers or other reasons affecting employment or opportunities for employment.

"LABOR MOBILITY DEMONSTRATION PROJECTS

"SEC. 104. (a) During the period ending June 30, 1967, the Secretary of Labor shall develop and carry out, in a limited number of geographical areas, pilot projects designed to assess or demonstrate the effectiveness in reducing unemployment of programs to increase the mobility of unemployed workers by providing assistance to meet their relocation expenses. In carrying out such projects the Secretary may provide such assistance, in the form of grants or loans, or both, only to involuntarily unemployed individuals who cannot reasonably be expected to secure full-time employment in the community in which they reside, have bona fide offers of employment (other than temporary or seasonal employment), and are deemed qualified to perform the work for which they are being employed.

Limitations.

"(b) Loans or grants provided under this section shall be subject to such terms and conditions as the Secretary shall prescribe, with loans subject to the following limitations:

"(1) there is reasonable assurance of repayment of the loan;

"(2) the credit is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

"(3) the amount of the loan, together with other funds available, is adequate to assure achievement of the purposes for which the loan is made;

"(4) the loan bears interest at a rate not less than (A) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (B) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purposes; and

"(5) the loan is repayable within not more than ten years.

"(c) Of the funds appropriated for a fiscal year to carry out this Act, not more than $5,000,000 may be used for the purposes of this section.

"TRAINEE PLACEMENT ASSISTANCE DEMONSTRATION PROJECTS

"SEC. 105. During the period ending June 30, 1967, the Secretary of Labor shall develop and carry out experimental and demonstration projects to assist in the placement of persons seeking employment through a public employment office who have successfully completed or participated in a federally assisted or financed training, counseling, work training, or work experience program and who, after appropriate counseling, have been found by the Secretary to be qualified and suitable for the employment in question, but to whom employment is or may be denied for reasons other than ability to perform, including difficulty in securing bonds for indemnifying their employers against loss from the infidelity, dishonesty, or default of such persons. In carrying out these projects the Secretary may make payments to or contracts with employers or institutions authorized to indemnify employers against such losses. Of the funds appropriated for fiscal years ending June 30, 1966, and June 30, 1967, not more than $200,000 and $300,000, respectively, may be used for the purpose of carrying out this section."

76 Stat. 24.
42 USC 2572.

(b) Section 102(2) of the Act is amended by striking out "104" and inserting in lieu thereof "107".

SEC. 5. Section 202(i) of the Act is amended by striking out ", and such persons shall be eligible for training allowances for not to exceed an additional twenty weeks". 77 Stat. 422. 42 USC 2582.

SEC. 6. (a) Section 203(a) of the Act is amended as follows: Training allowances.

(1) Amend the second sentence thereof to read as follows: "Such payments shall be made for a period not exceeding one hundred and four weeks, and the basic amount of any such payment in any week for persons undergoing training, including uncompensated employer-provided training, shall not exceed $10 more than 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 most recent four-calendar-quarter period for which such data are available: *Provided*, That the basic amount of such payments may be increased by $5 a week for each dependent over two up to a maximum of four additional dependents: *Provided further*, That in any week an individual who, but for his training, would be entitled to unemployment compensation in excess of his total allowance, including payments for dependents, shall receive an allowance increased by the amount of such excess."; 76 Stat. 26; 77 Stat. 422. 42 USC 2583.

(2) Amend the second paragraph thereof to read as follows:

"With respect to any week for which a person receives unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law which is less than the total training allowance, including payments for dependents, provided for by the preceding paragraph, a supplemental training allowance may be paid to a person eligible for a training allowance under this Act. The supplemental training allowance shall not exceed the difference between his unemployment compensation and the training allowance provided by the preceding paragraph."; 68 Stat. 1130; 72 Stat. 1087. 42 USC 1361-1371.

(3) Insert the words "under the training program" after "compensated hours per week" in the third paragraph of such subsection;

(4) In lieu of the fourth paragraph of such subsection insert the following:

"The training allowance of a person engaged in training under section 204 or 231 shall not be reduced on account of employment (other than employment under an on-the-job training program under section 204) which does not exceed twenty hours per week, but shall be reduced in an amount equal to his full earnings for hours worked (other than in employment under such an on-the-job training program) in excess of twenty hours per week." 76 Stat. 28, 30; 77 Stat. 424. 42 USC 2584, 2601.

(b)(1) Section 203(b) of the Act is amended by striking out the matter following "to defray transportation" and preceding "*Provided*", and by inserting in lieu of such matter the following: "expenses, and when such training is provided in facilities which are not within commuting distance of the trainee's regular place of residence, subsistence expenses for separate maintenance of the trainee:". Transportation and subsistence expenses. 76 Stat. 27. 42 USC 2583.

(2) Such subsection is further amended by inserting immediately before the period at the end thereof the following: ", except in the case of local transportation where he may authorize reimbursement for the trainee's travel by the most economical mode of public transportation, and except that in noncontiguous States and in areas outside the continental United States where the per diem allowance prescribed under section 836 of title 5, United States Code, exceeds the maximum per diem allowance prescribed under that section for contiguous States, the Secretary may provide for a reasonable increase in the transporta- 63 Stat. 166; 75 Stat. 339, 340.

tion and subsistence expenses in such amounts as he may deem necessary to carry out the purposes of this Act, and subject to such limitations as he may prescribe".

Conditions.
77 Stat. 422.
42 USC 2583.

(c) Section 203(c) of the Act is amended as follows:

(1) Strike the words "not less than" in the first sentence and insert "at least" in lieu thereof;

(2) Strike out everything in the first sentence after the words "gainful employment", and insert the following in lieu thereof: ": *Provided*, That he shall not pay training allowances to members of a family or a household in which the head of the family or the head of the household as defined in the Internal Revenue Code of 1954 is employed, unless the Secretary determines that such payments are necessary in order for the trainees to undertake or to continue training: *Provided further*, That no allowances shall be paid to any member of a family or household if the Secretary of Labor determines that the head of such family or household has terminated his employment for the purpose of qualifying such member for training allowances under this section.";

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

(3) Amend the last sentence to read as follows: "The number of youths under the age of twenty-two who are receiving training allowances (or who would be entitled thereto but for the receipt of unemployment compensation) shall, except for such adjustments as may be necessary for effective management of programs under this section, not exceed 25 per centum of all persons receiving such allowances (or who would be entitled thereto but for the receipt of unemployment compensation). The Secretary of Labor may authorize continued payments of allowances to any youth who becomes twenty-two years of age during the course of his training, if he has completed a substantial part of such training."

Repeal.
76 Stat. 27;
77 Stat. 423.
42 USC 2583.

(d) Subsection (d) of section 203 of the Act is repealed and subsections (e), (f), (g), (h), (i), and (j) of such section are redesignated as (d), (e), (f), (g), (h), and (i), respectively.

(e) The first sentence of section 203(g)(2) of the Act (as redesignated by section 5(d) of this Act) is amended by striking out everything that follows "all of such benefits paid" and inserting in lieu thereof a period.

Repeal.
77 Stat. 423.
42 USC 2588.

SEC. 7. Section 208 of the Act is repealed.

Agreements with States.
42 USC 2601.

SEC. 8. Section 231 of the Act is amended by striking out the second and third sentences and inserting in lieu thereof the following: "Such State agencies shall provide for such training through public educational agencies or institutions or through arrangements with private educational or training institutions where such private institutions can provide equipment or services not available in public institutions, particularly for training in technical and subprofessional occupations, or where such institutions can, at comparable cost, (1) provide substantially equivalent training, or (2) make possible an expanded use of the individual referral method, or (3) aid in reducing more quickly unemployment or current and prospective manpower shortages. The State agency shall be paid not more than 90 per centum of the cost to the State of carrying out the agreement, unless the Secretary of Health, Education, and Welfare determines that payments in excess of 90 per centum are necessary because such payments with respect to private institutions are required to give full effect to the purposes of the Act: *Provided*, That for the period ending June 30, 1966, the State agency shall be paid 100 per centum of the cost to the State of carrying out the agreement. Non-Federal contributions may be in cash or kind,

fairly evaluated, including but not limited to plant, equipment, and services."

SEC. 9. (a) Title II of the Act is amended by adding part C to the end thereof to read as follows: 76 Stat. 25. 42 USC 2581-2602.

"PART C—REDEVELOPMENT AREAS

"SEC. 241. The Secretaries of Labor and of Health, Education, and Welfare, in accordance with their respective responsibilities under parts A and B of this title, are authorized to provide a supplementary program of training and training allowances, in consultation with the Secretary of Commerce, for unemployed and underemployed persons residing in areas designated as redevelopment areas by the Secretary of Commerce under the Area Redevelopment Act or any subsequent Act authorizing such designation. Such program shall be carried out by the Secretaries of Labor and of Health, Education, and Welfare in accordance with the provisions otherwise applicable to programs under this Act and with their respective functions under those provisions, except that— 77 Stat. 422. 75 Stat. 47. 42 USC 2501 note.

"(1) the Secretary of Labor, in consultation with the Secretary of Commerce, shall determine the occupational training or retraining needs of unemployed or underemployed individuals residing in redevelopment areas;

"(2) all unemployed or underemployed individuals residing in redevelopment areas who can reasonably be expected to obtain employment as a result of such training may be referred and selected for training and shall be eligible for training allowances under this section: *Provided*, That the amount and duration of training allowances under this section shall in no event exceed the amount and duration of training allowances provided under section 203(a) of this Act; Training allowances. *Ante*, p. 77.

"(3) the Secretaries of Labor and of Health, Education, and Welfare shall, each with respect to his functions under this section, prescribe jointly with the Secretary of Commerce such rules and regulations as may be necessary to carry out the purposes of this section; and 42 USC 2583. Regulatory authority.

"(4) no funds available under this section shall be apportioned to any State pursuant to section 301 of this Act, nor shall any matching funds be required." 76 Stat. 30. 42 USC 2611.

(b) Sections 16 and 17 of the Area Redevelopment Act (42 U.S.C. 2513 and 2514) are repealed. The repeal of these sections shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment, or other obligation entered into pursuant to the Area Redevelopment Act prior to the effective date of the repeal of such sections. Repeals. 75 Stat. 58.

(c) This section and the amendments made by it shall take effect on July 1, 1965.

SEC. 10. Section 301 of the Act is amended by striking the period at the end thereof, inserting a colon, and adding the following proviso: "*Provided*, That no funds apportioned with respect to a State in any fiscal year shall be reapportioned before the expiration of the sixth month of such fiscal year and only upon 30 days' prior notice to such State of the proposed reapportionment, except that the requirement for prior notice shall not apply with respect to any reapportionment made during the last quarter of the fiscal year." 42 USC 2611.

SEC. 11. Section 302 of the Act is amended by striking the word "and" following "the Smith-Hughes Vocational Education Act" insert- 42 USC 2612. 39 Stat. 929. 20 USC 15i and note.

ing a comma in lieu thereof, and inserting "and the Vocational Education Act of 1963," following "the Vocational Education Act of 1946,".

77 Stat. 403.
20 USC 35 note.
60 Stat. 775.
20 USC 15i note.
76 Stat. 31.
42 USC 2614.

SEC. 12. Section 304 of the Act is amended to read as follows:

"APPROPRIATIONS AUTHORIZED

Ante, pp. 75, 76.
42 USC 2571-2574.

"SEC. 304. (a) For the purposes of carrying out title I, there are hereby authorized to be appropriated not in excess of $46,000,000 for the fiscal year ending June 30, 1966, and for each fiscal year thereafter such amounts as may be necessary.

42 USC 2581-2602.

"(b) For the purpose of carrying out parts A and B of title II, there are hereby authorized to be appropriated not in excess of $385,000,000 for the fiscal year ending June 30, 1966, and for each fiscal year thereafter such amounts as may be necessary.

Ante, p. 79.

"(c) For the purpose of carrying out part C of title II, there are hereby authorized to be appropriated not in excess of $22,000,000 for the fiscal year ending June 30, 1966, and for each year thereafter such amounts as may be necessary.

42 USC 2611-2620.

"(d) For the purpose of carrying out title III, there are hereby authorized to be appropriated not in excess of $1,000,000 for the fiscal year ending June 30, 1966, and for each year thereafter such amounts as may be necessary."

42 USC 2615.

SEC. 13. The following subsection is added to section 305 of the Act to read as follows:

"(e) the costs of all training programs approved in any fiscal year, including the total cost of training allowances for such programs, may be paid from funds appropriated for such purposes for that fiscal year; and the amount of the Federal payment shall be computed on the basis of the per centum requirement in effect at the time such programs are approved: *Provided*, That funds appropriated for the fiscal year ending June 30, 1966, may be expended for training programs approved under this Act prior to July 1, 1965."

42 USC 2616.

SEC. 14. Subsection (a) of section 306 of the Act is amended by inserting after "procedures," the following: "including (subject to such policies, rules, and regulations as they may prescribe) the approval of any program under section 202, the cost of which does not exceed $75,000,".

42 USC 2582.

77 Stat. 424.
42 USC 2619.

SEC. 15. Sections 309(a) and 309(b) of the Act are both amended by striking "Prior to March 1, 1963, and again prior to April 1, 1964, April 1, 1965, and April 1, 1966" and inserting in lieu thereof: "Prior to April 1 in each year".

42 USC 2620.

SEC. 16. Section 310 of the Act is amended by striking out "1966" wherever it appears and inserting in lieu thereof "1969".

Approved April 26, 1965.

Public Law 89-16

AN ACT

April 30, 1965
[H. R. 7091]

Making supplemental appropriations for the fiscal year ending June 30, 1965, 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 "Second Supplemental Appropriation Act, 1965") for the fiscal year ending June 30, 1965, and for other purposes, namely:

Second Supplemental Appropriation Act, 1965.

TITLE I

CHAPTER I

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For additional amounts for "Salaries and expenses", as follows:

"Research", $2,960,000;

"Plant and animal disease and pest control", $2,376,000, including $550,000 for screwworm eradication, and including $100,000 for the purpose of extending the screwworm barrier zone on a limited basis to Arizona and California with cost-sharing from State and local sources of at least 50 per centum of the expenses of production, irradiation and release of the screwworm flies; and

"Meat inspection", $1,137,000.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SUGAR ACT PROGRAM

For an additional amount for "Sugar Act Program", $6,000,000, to remain available until June 30, 1966.

EMERGENCY CONSERVATION MEASURES

For an additional amount 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, $10,000,000, with which shall be merged the unexpended balances of funds heretofore appropriated for "Emergency conservation measures".

71 Stat. 176.

CHAPTER II

DISTRICT OF COLUMBIA

(DISTRICT OF COLUMBIA FUNDS)

OPERATING EXPENSES

General Operating Expenses

For an additional amount for "General operating expenses", $585,800, of which $6,000 shall be payable from the highway fund (including $2,100 from the motor vehicle parking account), $1,000 from the water fund, and $300 from the 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), $6,800.

D.C. Code 1-902 to 1-906.

CAPITAL OUTLAY

For an additional amount for "Capital outlay", $971,000, to remain available until expended.

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.

CHAPTER III

FOREIGN OPERATIONS

FUNDS APPROPRIATED TO THE PRESIDENT

INVESTMENT IN INTER-AMERICAN DEVELOPMENT BANK

For an additional amount for "Investment in Inter-American Development Bank", for the first 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.

PEACE CORPS

During the current fiscal year an additional amount of $1,858,000 shall be available in the appropriation for "Peace Corps" for administrative and program support costs.

CHAPTER IV

INDEPENDENT OFFICES

CIVIL AERONAUTICS BOARD

PAYMENTS TO AIR CARRIERS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Payments to air carriers (liquidation of contract authorization)", to remain available until expended, $1,932,000.

CIVIL SERVICE COMMISSION

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS FUND

For an additional amount for "Government payment for annuitants, employees health benefits fund", $1,560,000, to remain available until expended.

FUNDS APPROPRIATED TO THE PRESIDENT

DISASTER RELIEF

For an additional amount for "Disaster relief", $35,000,000, to remain available until expended: *Provided*, That not to exceed 3 per centum of the foregoing amount shall be available for administrative expenses.

GENERAL SERVICES ADMINISTRATION

CONSTRUCTION, PUBLIC BUILDINGS PROJECTS

For an additional amount for "Construction, public buildings projects", for the construction of a building for the Internal Revenue Service at Ogden, Utah, $4,305,000, to remain available until expended: *Provided*, That the foregoing limit of cost 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 maximum construction cost for construction of the Post Office and Federal Office Building, Clovis, New Mexico, provided in the Independent Offices Appropriation Act, 1964, is hereby increased by $212,100 and the maximum construction improvement cost for construction of the Border Station, Del Rio, Texas, provided in the Independent Offices Appropriation Act, 1963, is hereby increased by $66,000, and an additional amount of $7,245,900 is hereby appropriated for the purposes of construction of public buildings projects for which appropriations were made under this head in the Independent Offices Appropriation Act, 1965, to remain available until expended, and such amount may be expended for such projects without regard to the limits on maximum improvement construction costs established in such Act for such projects.

77 Stat. 433.

76 Stat. 724.

78 Stat. 647.

OPERATING EXPENSES, FEDERAL SUPPLY SERVICE

For an additional amount for "Operating expenses, Federal Supply Service", $2,750,000.

HOUSING AND HOME FINANCE AGENCY

OFFICE OF THE ADMINISTRATOR

REHABILITATION LOAN FUND

78 Stat. 790.

For the revolving fund established pursuant to section 312 of the Housing Act of 1964 (42 U.S.C. 1452b), $10,180,000: *Provided*, That not to exceed $180,000 of this appropriation shall be available for administrative expenses during the current fiscal year.

URBAN RENEWAL FUND (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Urban renewal fund (liquidation of contract authorization)", $30,000,000.

PUBLIC HOUSING ADMINISTRATION

ANNUAL CONTRIBUTIONS

For an additional amount for "Annual contributions", $8,320,000.

VETERANS ADMINISTRATION

GENERAL OPERATING EXPENSES

For an additional amount for "General operating expenses", $7,745,000.

COMPENSATION AND PENSIONS

For an additional amount for "Compensation and pensions", $150,000,000, to remain available until expended.

READJUSTMENT BENEFITS

For an additional amount for "Readjustment benefits", $8,800,000, to remain available until expended.

GRANTS TO THE REPUBLIC OF THE PHILIPPINES

For an additional amount for "Grants to the Republic of the Philippines", $76,000.

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", $3,950,000.

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Public lands development roads and trails (Liquidation of contract authorization)", $500,000, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For an additional amount for "Oregon and California grant lands", for emergency repair and reconstruction of flood damaged roads on lands administered by the Bureau of Land Management, $8,500,000, to remain available until expended: *Provided*, That this amount shall be nonreimbursable to the general fund of the Treasury.

BUREAU OF INDIAN AFFAIRS

EDUCATION AND WELFARE SERVICES

For an additional amount for "Education and welfare services", $600,000.

RESOURCES MANAGEMENT

For an additional amount for "Resources management", $1,031,000.

CONSTRUCTION

For an additional amount for "Construction", $1,910,000, to remain available until expended: *Provided*, That not to exceed $30,000 shall be available for purchase of land in the State of California outside the boundaries of existing Indian reservations.

ROAD CONSTRUCTION (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Road construction (Liquidation of contract authorization)", $1,000,000, to remain available until expended.

NATIONAL PARK SERVICE

MANAGEMENT AND PROTECTION

For an additional amount for "Management and protection", $897,000.

CONSTRUCTION

For an additional amount for "Construction", $580,000, to remain available until expended.

BUREAU OF OUTDOOR RECREATION

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 $70,000 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 $16,000,000, of which (1) not to exceed $10,375,000 shall be available for payments to the States to be matched by the individual States with an equal amount; (2) not to exceed $4,805,000 shall be available to the National Park Service; and (3) not to exceed $750,000 shall be available to the Forest Service: *Provided*, That in the event the receipts available in

16 USC 460*l*-4 note.

the Land and Water Conservation Fund are insufficient to provide the full amounts specified herein, the amounts available under clauses (1) through (3) shall be reduced proportionately.

OFFICE OF TERRITORIES

CLAIMS OF INHABITANTS OF RONGELAP ATOLL

For carrying out the provisions of the Act of August 22, 1964 (78 Stat. 598), providing for the settlement of claims of certain residents of the Trust Territory of the Pacific Islands, $950,000, to remain available until expended.

THE ALASKA RAILROAD

PAYMENT TO THE ALASKA RAILROAD REVOLVING FUND

For payment to the Alaska Railroad revolving fund for authorized work of the Alaska Railroad, including repair, reconstruction, rehabilitation, or replacement of facilities, and equipment, damaged or destroyed as a result of the Alaska earthquake, to remain available until expended, $1,300,000, which may be made available to the Corps of Engineers for reconstruction of the Seward dock facilities.

GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, investigations, and research", $550,000, to remain available until June 30, 1966.

BUREAU OF COMMERCIAL FISHERIES

CONSTRUCTION

For an additional amount for "Construction", $1,125,000, to remain available until expended.

BUREAU OF SPORT FISHERIES AND WILDLIFE

CONSTRUCTION

For an additional amount for "Construction", $1,200,000, to remain available until expended.

OFFICE OF SALINE WATER

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", including not to exceed $90,000 for administration and coordination during the current fiscal year, $3,900,000, to remain available until expended.

OFFICE OF WATER RESOURCES RESEARCH

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $1,985,000.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST PROTECTION AND UTILIZATION

For additional amounts for "Forest protection and utilization", as follows:

"Forest land management", $21,362,000 of which $4,200,000 shall remain available until June 30, 1966;

"Forest research", $704,000; and

"State and private forestry cooperation", $58,000.

FOREST ROADS AND TRAILS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Forest roads and trails (liquidation of contract authorization)", $2,000,000, to remain available until expended.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Construction of Indian health facilities", $500,000, to remain available until expended.

CHAPTER VI

DEPARTMENT OF LABOR

MANPOWER ADMINISTRATION

MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

For an additional amount for "Manpower development and training activities", $89,000,000.

LIMITATION ON GRANTS TO STATES FOR UNEMPLOYMENT COMPENSATION AND EMPLOYMENT SERVICE ADMINISTRATION

For an additional amount for "Limitation on grants to States for unemployment compensation and employment service administration", $560,000, to be expended from the employment security administration account in the Unemployment trust fund.

UNEMPLOYMENT COMPENSATION FOR FEDERAL EMPLOYEES AND EX-SERVICEMEN

For an additional amount for "Unemployment compensation for Federal employees and ex-servicemen", $11,000,000, together with such amount as may be necessary to be charged to the subsequent year appropriation for benefit payments for any period subsequent to May 31 of the year.

LIMITATION ON SALARIES AND EXPENSES, BUREAU OF EMPLOYMENT SECURITY

For an additional amount for "Limitation on salaries and expenses, Bureau of Employment Security", $627,500, to be expended from the employment security administration account in the Unemployment trust fund.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF EDUCATION

DEFENSE EDUCATIONAL ACTIVITIES

Not to exceed $516,810 of the amount appropriated under this head in the Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1965, shall be available for payments to institutions for cancellation of student loans.

78 Stat. 965.

SALARIES AND EXPENSES

Amounts available for any activity under appropriations under this head in the Department of Labor, and Health, Education, and Welfare Appropriation Act, 1965, shall also be available for any other activity thereunder to the extent needed in preparing for the programs authorized by the Elementary and Secondary Education Act of 1965.

Ante, p. 27.

PUBLIC HEALTH SERVICE

WATER SUPPLY AND WATER POLLUTION CONTROL

Not to exceed $820,000 of the amount appropriated under this head in the Department of Health, Education, and Welfare Appropriation Act, 1965, shall remain available until June 30, 1966, for construction projects to demonstrate control and abatement of acid mine drainage.

78 Stat. 971.

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON SALARIES AND EXPENSES

Amounts available for any activity under appropriations under this head in the Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1965, shall also be available for any other activity thereunder to the extent needed in preparing for the programs authorized by the Social Security Amendments of 1965.

78 Stat. 974.

Post, p. 286.

WELFARE ADMINISTRATION

GRANTS TO STATES FOR PUBLIC ASSISTANCE

For an additional amount for "Grants to States for public assistance", $407,900,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

Not to exceed $2,460,000 of the amount appropriated under this head in the Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1965, shall be available for trial examiner hearings. 78 Stat. 979.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

Not to exceed $845,000 of the amount appropriated under this head in the Departments of Labor, and the Health, Education, and Welfare Appropriation Act, 1965, shall be available for the adjustment of railroad grievances.

RAILROAD RETIREMENT BOARD

LIMITATION ON SALARIES AND EXPENSES

Not to exceed $343,000 of the amount appropriated under this head in the Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1965, shall be available for the maintenance of earnings accounts. 78 Stat. 980.

CHAPTER VII

LEGISLATIVE BRANCH

SENATE

For payment to Gladys A. Johnston, widow of Olin D. Johnston, late a Senator from the State of South Carolina, $30,000.

CONTINGENT EXPENSES OF THE SENATE

FOLDING DOCUMENTS

For an additional amount for "Folding documents", $8,000.

HOUSE OF REPRESENTATIVES

Such amounts as may be necessary during the current fiscal year may be transferred between applicable current appropriations of the House to the extent made necessary by actions of the Committee on House Administration pursuant to the House Employees Position Classification Act, Public Law 88-652. 78 Stat. 1079. 2 USC 291 note.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings

For an additional amount for "Capitol Buildings", $130,000.

CHAPTER VIII

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CEMETERIAL EXPENSES

Salaries and Expenses

For an additional amount for "Salaries and expenses", including design, preparation of plans and specifications, construction, and all related expenses of a permanent gravesite for the late President Kennedy, together with appurtenant walks, $1,869,000, to remain available until expended: *Provided*, That the non-federally financed portion of the work may be performed under Government contract on a reimbursable basis.

CORPS OF ENGINEERS—CIVIL

Operation and Maintenance, General

For an additional amount for "Operation and maintenance, general", $1,735,000, to remain available until expended.

Flood Control, Hurricane, and Shore Protection Emergencies

For an additional amount for "Flood control, hurricane, and shore protection emergencies", $10,000,000, to remain available until expended.

CHAPTER IX

DEPARTMENT OF STATE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", including expenses necessary to provide maximum physical security in Government-owned and leased properties abroad, $6,255,000, and in addition $740,000 to be derived by transfer from the appropriation for "Contributions to international organizations", fiscal year 1965, and $150,000 to be derived by transfer from the appropriation for "International tariff negotiations", fiscal year 1965.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for "Emergencies in the diplomatic and consular service", $500,000.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

FEES AND EXPENSES OF WITNESSES

In addition to the amount heretofore made available in the appropriation under this head for the current fiscal year for compensation and expenses of witnesses (including expert witnesses) pursuant to section 1 of the Act of July 28, 1950 (50 U.S.C. 341) and sections 4244–48 of Title 18, United States Code, not to exceed $65,000 shall be available in such appropriation for such compensation and expenses.

64 Stat. 380.
5 USC 341.
63 Stat. 686.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", including purchase of not to exceed one hundred passenger motor vehicles for police-type use without regard to the general purchase price limitation for the current fiscal year, $10,635,000.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and facilities", $3,750,000.

DEPARTMENT OF COMMERCE

BUREAU OF PUBLIC ROADS

FEDERAL-AID HIGHWAYS (TRUST FUND)

For an additional amount for "Federal-aid highways (trust fund)", to remain available until expended, $250,000,000, or so much thereof as may be available in and derived from the "Highway trust fund", which sum is part of the amount authorized to be appropriated for the fiscal year 1964.

THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

FEES OF JURORS AND COMMISSIONERS

For an additional amount for "Fees of jurors and commissioners", $250,000.

COMMISSION ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE

SALARIES AND EXPENSES

For expenses necessary for the Commission on International Rules of Judicial Procedure, $25,000, to remain available until May 1, 1965.

SMALL BUSINESS ADMINISTRATION

REVOLVING FUND

For additional capital for the revolving fund authorized by the Small Business Act of 1953, as amended, to be available without fiscal year limitation, $100,000,000.

72 Stat. 384. 15 USC 631 note.

UNITED STATES INFORMATION AGENCY

SPECIAL INTERNATIONAL EXHIBITIONS

For an additional amount for "Special international exhibitions" for United States participation in the Canadian Universal and International Exhibition to be held in Montreal, Canada, in 1967, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), $9,000,000, to remain available until expended.

75 Stat. 527. 22 USC 2451 note.

CHAPTER X

TREASURY DEPARTMENT

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $271,000, and in addition $539,000 to be derived by transfer from the appropriation for "Retired pay", Coast Guard, fiscal year 1965.

TITLE II

APPALACHIAN REGIONAL DEVELOPMENT

The following sums are hereby appropriated to carry out the programs and activities of the Appalachian Regional Development Act of 1965 (Public Law 89-4):

Ante, p. 5.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", for "Research", $100,000, to remain available until June 30, 1966;

COOPERATIVE STATE RESEARCH SERVICE

PAYMENTS AND EXPENSES

For an additional amount for "Payments and expenses", to remain available until June 30, 1966, for contracts and grants for basic and applied research, $300,000;

EXTENSION SERVICE

COOPERATIVE EXTENSION WORK, PAYMENTS AND EXPENSES

For an additional amount for "Cooperative extension work, Payments and expenses", to remain available until June 30, 1966, as follows: For "Payments to States and Puerto Rico", $717,500; for "Retirement and employees' compensation costs for extension agents", $32,500;

SOIL CONSERVATION SERVICE

CONSERVATION OPERATIONS

For an additional amount for "Conservation operations", for technical services and related expenses, not otherwise provided, in connection with section 203 of the Appalachian Regional Development Act of 1965, and to establish a plant materials center in the Appalachian region without regard to the construction limitations in such appropriation, $1,575,000, to remain available until June 30, 1966; *Ante*, p. 12.

WATERSHED PLANNING

For an additional amount for "Watershed planning", $600,000, to remain available until expended;

WATERSHED PROTECTION

For an additional amount for "Watershed protection", $10,220,000, to remain available until expended: *Provided*, That not to exceed $3,100,000 of this amount shall be available for loans and related expenses;

ECONOMIC RESEARCH SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $300,000, to remain available until June 30, 1966;

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

APPALACHIAN REGION CONSERVATION PROGRAM

For necessary expenses, not otherwise provided for, including administrative expenses, to carry into effect section 203 of the Appalachian Regional Development Act of 1965, $7,000,000, to remain available until June 30, 1966;

FARMERS HOME ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $325,000, to remain available until June 30, 1966;

DIRECT LOAN ACCOUNT

For an additional amount for the "Direct loan account", for loans and advances in the Appalachian Region under subtitles A and B and section 335(a) of the Consolidated Farmers Home Administration Act of 1961, as amended, $7,100,000, to remain available until expended;

75 Stat. 307, 310, 315.
7 USC 1922-1946, 1985.

RURAL COMMUNITY DEVELOPMENT SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $50,000, to remain available until June 30, 1966;

FOREST SERVICE

FOREST PROTECTION AND UTILIZATION

For additional amounts for "Forest protection and utilization", to remain available until June 30, 1966, as follows: "Forest land management", including not more than $1,000,000 for acquisition of land under the Act of March 1, 1911, as amended (16 U.S.C. 513-519), $2,000,000; "Forest research", $1,225,000; and "State and private forestry cooperation", $350,000;

36 Stat. 962.

FOREST ROADS AND TRAILS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Forest roads and trails (liquidation of contract authorization)", $2,500,000, to remain available until expended;

TIMBER DEVELOPMENT ORGANIZATION LOANS AND TECHNICAL ASSISTANCE

For loans under the applicable provisions of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1926 et seq.) and for related expenses and technical forestry assistance, as authorized by section 204 of the Appalachian Regional Development Act of 1965, $1,000,000, to remain available until expended;

Ante, p. 13.

DEPARTMENT OF COMMERCE

GRANTS FOR LOCAL DEVELOPMENT DISTRICTS AND FOR RESEARCH AND DEMONSTRATION

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, and for related administrative expenses, $2,500,000, to remain available until expended;

Ante, p. 19.

SUPPLEMENTAL GRANTS-IN-AID

For supplementing grants-in-aid for the Appalachian Region, as authorized by section 214 of the Appalachian Regional Development Act of 1965, and for related administrative expenses, $45,000,000, to remain available until expended;

Ante, p. 17.

BUREAU OF PUBLIC ROADS

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

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, $200,000,000, to remain available until expended; *Ante*, p. 10.

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

General Investigations

For an additional amount for "General investigations", $2,000,000, to remain available until expended;

Construction, General

For an additional amount for "Construction, general", $14,153,000, to remain available until expended;

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 grants for construction for vocational education school facilities, as authorized by section 211 of the Appalachian Regional Development Act of 1965, $8,000,000 to remain available until expended; *Ante*, p. 16.

PUBLIC HEALTH SERVICE

HOSPITAL CONSTRUCTION ACTIVITIES

For an additional amount for "Hospital construction activities", including grants for construction and operation of demonstration health facilities under section 202 of the Appalachian Regional Development Act of 1965, $21,000,000, to remain available until expended: *Provided*, That such amounts as the Secretary of Health, Education, and Welfare may determine to be necessary for grants for construction of community mental health centers for the purposes of such Act may be transferred to the appropriation for grants for "Construction of community mental health centers" for the appropriate fiscal year;

GRANTS FOR WASTE TREATMENT WORKS CONSTRUCTION

For an additional amount for "Grants for waste treatment works construction", for grants for construction of sewage treatment works, as authorized by section 212 of the Appalachian Regional Development Act of 1965, $3,000,000, to remain available until expended;

DEPARTMENT OF THE INTERIOR

GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, investigations, and research", $500,000, to remain available until June 30, 1966;

BUREAU OF MINES

CONSERVATION AND DEVELOPMENT OF MINERAL RESOURCES

For an additional amount for "Conservation and development of mineral resources", including not to exceed $20,000 for travel and transportation of persons, $300,000, to remain available until June 30, 1966;

APPALACHIAN REGION MINING AREA RESTORATION

For expenses necessary in carrying out a nation-wide 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, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and purchase (not to exceed ten) and hire of passenger motor vehicles; $16,000,000, 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;

Ante, p. 13.
60 Stat. 810.

BUREAU OF SPORT FISHERIES AND WILDLIFE

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, 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; $1,350,000, 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 interest therein;

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, $490,000, to remain available until June 30, 1966: *Provided*, That the appropriation granted under this head in the Supplemental Appropriation Act, 1965, shall remain available until June 30, 1966.

78 Stat. 1032.

TITLE III

INCREASED PAY COSTS

For additional amounts for appropriations for the fiscal year 1965, for increased pay costs authorized by or pursuant to law, as follows:

LEGISLATIVE BRANCH

Senate:

"Compensation of the Vice President and Senators", $406,120;

"Salaries, officers and employees", $2,357,110;

"Office of the Legislative Counsel of the Senate", $40,845;

Contingent expenses of the Senate:

"Senate policy committees", $42,880;

"Automobiles and maintenance", $2,700;

"Inquiries and investigations", $401,630, including $12,000 for the Committee on Appropriations;

"Folding documents", $2,275;

"Miscellaneous items", $122,885, including $36,000 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.

Joint Items:

"Joint Committee on Reduction of Non-essential Federal Expenditures", $4,915, to remain available until expended;

Contingent expenses of the Senate:

"Joint Economic Committee", $30,080;

"Joint Committee on Atomic Energy", $36,510;

"Joint Committee on Printing", $19,845;

Contingent expenses of the House:

"Joint Committee on Internal Revenue Taxation", $45,560;

"Joint Committee on Immigration and Nationality Policy", $4,100;

"Joint Committee on Defense Production", $15,000;

Other joint items:

"Capitol Police Board", $130,566;

"Education of Pages", $5,787;

House:

"Compensation of Members", $1,759,000;

"Office of the Speaker", $20,225;

"Office of the Parliamentarian", $26,495;

"Office of the Chaplain", $3,070;

"Office of the Clerk", $100,000;

"Committee employees", $575,000;

"Doorkeeper", $80,000;

"Six minority employees", $17,635;

"Majority floor leader", $7,240;

"Minority floor leader", $8,000;

"Majority whip", $5,815;

"Minority whip", $5,815;

"Printing clerks", $1,385;

"Technical assistant to attending physician", $1,790;

"Postmaster", $66,000;

"Official reporters of debates", $37,650;

"Official reporters to committees", $37,605;

"Legislative counsel", $32,000;

"Member's clerk hire", $3,200,000;
"Special and select committees", $575,000;
"Coordinator of information", $18,400;
"Folding documents", $25,000;
"Revision of the laws", $4,100;
"Speaker's auto", $1,100;
"Majority leader's auto", $1,100;
"Minority leader's auto", $1,100;

Such additional amounts as may be necessary during the current fiscal year for increased pay costs authorized by law may be transferred between appropriations under the House of Representatives for the current fiscal year;

Architect of the Capitol:

Office of the Architect of the Capitol:
"Salaries", $40,000;
"Capitol buildings", $10,000;

Capitol buildings and grounds: "Legislative garage", $800;
"Senate Office Buildings", $50,000;

Library of Congress:

"Salaries and expenses", $375,800;
Copyright Office: "Salaries and expenses", $86,200;
Legislative Reference Service: "Salaries and expenses", $167,800;
Distribution of catalog cards: "Salaries and expenses", $106,300;
Books for the Blind: "Salaries and expenses", $12,600;

Government Printing Office:

Office of the Superintendent of Documents: "Salaries and expenses": Not to exceed $125,000 of the $200,000 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", $79,000;
"Automobile for the Chief Justice", $400;

Court of Customs and Patent Appeals: "Salaries and expenses", $43,000;

Customs Court: "Salaries and expenses", $91,000;

Court of Claims: "Salaries and expenses", $132,000;

Court of Appeals, district courts, and other judicial services:

"Salaries of judges", $3,400,000;
"Salaries of supporting personnel", $1,105,000;
"Administrative Office of the United States Courts", $81,500;
"Salaries of referees", $1,230,000 to be derived from the "Referees' salary and expense fund";
"Expenses of referees", $205,000, to be derived from the "Referees' salary and expense fund";

EXECUTIVE OFFICE OF THE PRESIDENT

The White House Office:

"Salaries and expenses", $125,000, to be derived by transfer from the appropriation for "Special projects", fiscal year 1965;

Bureau of the Budget: "Salaries and expenses", $453,800;

Council of Economic Advisers: "Salaries and expenses", $52,000;
National Security Council: "Salaries and expenses", $62,900;
Office of Emergency Planning:
"Salaries and expenses", $241,000;
Civil defense and defense mobilization functions of Federal agencies", $174,900;
Office of Science and Technology: "Salaries and expenses", $76,500;
Special Representative for Trade Negotiations: "Salaries and expenses", $31,000;

FUNDS APPROPRIATED TO THE PRESIDENT

Economic Assistance:
"Administrative expenses, Agency for International Development", $2,400,000, to be derived by transfer from appropriations for "Economic assistance", fiscal year 1965;
"Administrative and other expenses, Department of State", $129,100, to be derived by transfer from appropriations for "Economic assistance", fiscal year 1965;

DEPARTMENT OF AGRICULTURE

Cooperative State Research Service: "Payments and expenses" for Federal administration, $67,000, to be derived by transfer from the subappropriation for "Payments to States and Puerto Rico, Extension Service", fiscal year 1965;
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, 1965, for "Payments to States and Puerto Rico", $114,000 shall be transferred to the subappropriation for "Federal Extension Service"; 78 Stat. 864.
Farmer Cooperative Service: "Salaries and expenses", $39,000;
Soil Conservation Service:
"Conservation operations", $4,050,000;
"Watershed planning", $200,000;
"Watershed protection", $735,000, to remain available until expended;
"Great Plains conservation program", $120,000, to remain available until expended;
"Resource conservation and development", $43,000, to remain available until expended;
Economic Research Service: "Salaries and expenses", $360,000;
Statistical Reporting Service: "Salaries and expenses", $406,000;
Agricultural Marketing Service: "Marketing services", $1,000,000;
Foreign Agricultural Service: "Salaries and expenses", $305,000;
Commodity Exchange Authority: "Salaries and expenses", $50,000;
Agricultural Stabilization and Conservation Service: "Expenses, Agricultural Stabilization and Conservation Service", $2,950,000, and in addition, not to exceed $1,756,100 may be transferred to and merged with this appropriation from the Commodity Credit Corporation fund;
Federal Crop Insurance Corporation: "Administrative and operating expenses", $291,000;
Rural Electrification Administration: "Salaries and expenses", $360,000;

Farmers Home Administration: "Salaries and expenses", $1,700,000;
Rural Community Development Service: "Salaries and expenses", $9,000;
Office of the Inspector General: "Salaries and expenses", $250,000;
Office of the General Counsel: "Salaries and expenses", $186,000;
Office of Information: "Salaries and expenses", $41,000;
National Agricultural Library: "Salaries and expenses", $52,000;
Office of Management Services: "Salaries and expenses", $20,000;
General Administration: "Salaries and expenses", $239,000;
Forest Service: "Forest roads and trails (liquidation of contract authorization)", $1,172,000, to remain available until expended;

DEPARTMENT OF COMMERCE

General Administration: "Salaries and expenses", $270,000;
Office of Business Economics: "Salaries and expenses", $101,000;
Bureau of Census:
"Salaries and expenses", $509,000;
"1964 Census of Agriculture", $150,000, to remain available until December 31, 1967;
"Preparation for the Nineteenth Decennial Census", $13,000, to remain available until December 31, 1972;
Business and Defense Services Administration: "Salaries and expenses", $209,000;
International activities:
"Salaries and expenses", $247,000;
"Export control", $160,000, of which $58,000 may be advanced to the Bureau of Customs;
Office of Field Services: "Salaries and expenses", $131,000;
Coast and Geodetic Survey: "Salaries and expenses", $205,000;
Patent Office: "Salaries and expenses", $995,000;
National Bureau of Standards:
"Research and technical services", $843,000;
Office of Technical Services: "Salaries and expenses", $37,000;
Weather Bureau: "Salaries and expenses", $1,841,000;
Maritime Administration:
"Research and development" (increase of $25,000 in the limitation on the amount of transfers to the appropriation for the current fiscal year for "Salaries and expenses" for administrative expenses);
"Salaries and expenses", $311,000, of which $282,000 is for administrative expenses, and $29,000 is for reserve fleet expenses;
"Maritime training", $33,000;
Bureau of Public Roads: "Limitation on general administrative expenses" (increase of $1,350,000 in the limitation on the amount available for administration and research).

DEPARTMENT OF DEFENSE—MILITARY

Military personnel:
"Military personnel, Navy", $29,000,000;
"Military personnel, Marine Corps", $9,500,000;
"Military personnel, Air Force", $59,500,000;
Operation and maintenance:
"Operation and maintenance, Army", $43,910,000;

"Operation and maintenance, Navy", $34,122,000;
"Operation and maintenance, Marine Corps", $1,621,000;
"Operation and maintenance, Air Force", $47,716,000;
"Operation and maintenance, Army National Guard", $3,424,000;
"Operation and maintenance, Air National Guard", $1,552,000;
"Court of military appeals, Defense", $49,000;

DEPARTMENT OF DEFENSE—CIVIL

Department of the Army: Corps of Engineers—Civil:
"Operation and maintenance, general", $2,012,000;
"General expenses", $588,000;

United States Soldiers Home: "Limitation on operation and maintenance and capital outlay" (increase of $130,000 in the amount available for maintenance and operation to be paid from the Soldiers Home permanent fund);

The Panama Canal:
Canal Zone Government: "Operating expenses", $872,000;
Panama Canal Company: "Limitation on general and administrative expenses" (increase of $185,000 in the limitation on the amount available for general and administrative expenses);

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration: "Salaries and expenses", $1,170,000, to be derived by transfer from the appropriation for "Assistance to refugees in the United States", fiscal year 1965;

Office of Education: "Salaries and expenses", $308,500, and in addition $120,000 to be derived by transfer from the appropriation for "Assistance to refugees in the United States", fiscal year 1965;

Vocational Rehabilitation Administration: "Salaries and expenses", $92,000;

Public Health Service:
"Accident prevention", $63,000;
"Chronic diseases and health of the aged", $186,000;
"Communicable disease activities", $146,000;
"Community health practice and research", $55,000;
"Control of tuberculosis", $18,000;
"Control of venereal disease", $75,000;
"Dental services and resources", $57,000;
"Nursing services and resources", $29,000;
"Hospital construction activities", $61,000;
"Environmental health sciences", $30,000;
"Air pollution", $65,000;
"Environmental engineering and sanitation", $53,000;
"Occupational health", $31,000;
"Radiological health", $122,000;
"Water supply and water pollution control", $117,000;
"Hospital and medical care", $427,000, and in addition $1,299,000 to be derived by transfer from the appropriation for "Assistance to refugees in the United States", fiscal year 1965;

"Foreign quarantine activities", $158,000;

"Indian health activities", $1,320,000;

"National Institute of Mental Health", $341,000, to be derived by transfer from the appropriation for "National Cancer Institute", fiscal year 1965;

"National Heart Institute", $347,000, of which $275,000 shall be derived by transfer from the appropriation for "General research and services, National Institutes of Health", fiscal year 1965; and $72,000 shall be derived by transfer from the appropriation for "National Cancer Institute", fiscal year 1965;

"National Institute of Dental Research", $107,000, to be derived by transfer from the appropriation for "National Cancer Institute", fiscal year 1965;

"National Institute of Arthritis and Metabolic Diseases", $294,000, to be derived by transfer from the appropriation for "General research and services, National Institutes of Health", fiscal year 1965;

"National Institute of Allergy and Infectious Diseases", $253,000, to be derived by transfer from the appropriation for "National Cancer Institute", fiscal year 1965;

"National Institute of Neurological Diseases and Blindness", $268,000, to be derived by transfer from the appropriation for "National Cancer Institute", fiscal year 1965;

"National health statistics", $152,000;

"National Library of Medicine", $66,000;

"Salaries and expenses, Office of the Surgeon General", $208,000;

Saint Elizabeths Hospital: "Salaries and expenses", the total amount available for "Salaries and expenses", in the "Department of Health, Education, and Welfare Appropriation Act, 1965", is hereby increased from "$28,330,000" to "$29,369,000";

78 Stat. 974.

Social Security Administration: "Limitation on salaries and expenses, Social Security Administration" (increase of $5,216,000 in the amount to be expended from either or both the Federal old-age and survivors insurance trust fund and the Federal disability insurance trust fund);

Welfare Administration:

"Salaries and expenses, Bureau of Family Services", $155,000;

"Salaries and expenses, Children's Bureau", $103,000;

"Salaries and expenses, Office of Aging", $21,000;

"Salaries and expenses, Office of the Commissioner", $42,000;

Special institutions:

"Freedmen's Hospital", $165,000;

"Salaries and expenses, Howard University", $183,000;

Office of the Secretary:

"Salaries and expenses", $211,000;

"Office of Field Administration", $155,000, together with not to exceed $52,000 to be transferred from the Federal old-age and survivors insurance trust fund;

"Surplus property utilization", $31,000;

"Office of the General Counsel", $100,500

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs:
"Education and welfare services", $1,497,000;
"General administrative expenses", $189,000;
National Park Service:
"Maintenance and rehabilitation of physical facilities", $550,000;
"General administrative expenses", $97,000;
Bureau of Outdoor Recreation: "Salaries and expenses", $80,000;
Office of Territories: "Administration of territories", $45,000;
Mineral resources:
Geological Survey: "Surveys, investigations, and research", $2,079,000;
Bureau of Mines:
"Conservation and development of mineral resources", $798,000;
"Health and Safety", $237,000;
"General administrative expenses", $59,000;
Office of Oil and Gas: "Salaries and expenses", $44,000;
Fish and Wildlife Service:
Office of the Commissioner of Fish and Wildlife: "Salaries and expenses", $19,000;
Bureau of Commercial Fisheries:
"Management and investigations of resources", $288,000;
"General administrative expenses", $37,000;
"Administration of Pribilof Islands", $12,000, to be derived from the Pribilof Islands fund;
Bureau of Sport Fisheries and Wildlife:
"Management and investigations of resources", $470,000;
"General administrative expenses", $59,000;
Bureau of Reclamation: "General administrative expenses", $374,800, to be derived by transfer from the appropriation for "Operation and maintenance", fiscal year 1965;
Bonneville Power Administration: "Operation and maintenance", $280,000;
Office of the Solicitor: "Salaries and expenses", $170,000;
Office of the Secretary: "Salaries and expenses", $254,500;

DEPARTMENT OF JUSTICE

Legal activities and general administration:
"Salaries and expenses, general administration", $200,000;
"Salaries and expenses, general legal activities", $150,000;
"Salaries and expenses, antitrust division", $218,000;
"Salaries and expenses, United States attorneys and marshals", $1,600,000;
Immigration and Naturalization Service: "Salaries and expenses", $2,064,000;
Federal Prison System: "Salaries and expenses", $1,250,000;
Federal Prisons Industries, Incorporated: "Limitation on vocational training expenses (increase of $30,000 in the amount available for vocational training expenses)";

DEPARTMENT OF LABOR

Bureau of Labor Statistics: "Salaries and expenses", $617,000;

Bureau of International Labor Affairs: "Salaries and expenses", $25,500;

Manpower Administration: "Bureau of apprenticeship and training", $181,000;

Labor-management relations:

"Labor-Management Services Administration", $241,300;

"Bureau of Veterans' Reemployment Rights", $29,700;

Wage and labor standards:

"Bureau of Labor Standards", $118,600;

"Women's Bureau", $27,200;

"Wage and Hour Division", $574,000;

Employees' compensation: "Salaries and expenses, Bureau of Employees Compensation", $166,200, together with not to exceed $2,100 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);

44 Stat. 1444.

Office of the Solicitor: "Salaries and expenses", $42,000, and in addition $148,000 to be derived from the appropriation for "Salaries and expenses, Office of the Secretary", and, in addition, not to exceed $4,000 may be derived from the Employment Security Administration account, Unemployment trust fund;

Office of the Secretary: "Salaries and expenses", $1,000, to be derived from the Employment Security Administration account, Unemployment trust fund;

POST OFFICE DEPARTMENT

(Out of the postal fund)

"Administration and regional operation", $1,941,000, to be derived by transfer from the appropriation for "Plant and equipment", fiscal year 1965;

"Operations", $200,000,000, and in addition $4,059,000 to be derived by transfer from the appropriation for "Plant and equipment", fiscal year 1965;

DEPARTMENT OF STATE

International organizations and conferences: "Missions to international organizations", $180,000, to be derived by transfer from the appropriation for "Contributions to international organizations", fiscal year 1965;

International commissions:

International Boundary and Water Commission, United States and Mexico:

"Salaries and expenses", $30,000, to be derived by transfer from the appropriation for "Contributions to international organizations", fiscal year 1965;

"Operation and maintenance", $24,000, to be derived by transfer from the appropriation for "Contributions to international organizations", fiscal year 1965;

"American sections, international commissions", $12,000, to be derived by transfer from the appropriation for "Contributions to international organizations", fiscal year 1965;

Educational exchange: "Mutual educational and cultural exchange" (decrease of $375,000 in the limitation on the amount which shall be used for payments in foreign currencies or credits owed to or owned by the Treasury);

TREASURY DEPARTMENT

Office of the Secretary: "Salaries and expenses", $357,000;

Bureau of Customs: "Salaries and expenses", $2,304,000;

Bureau of the Mint: "Salaries and expenses", $179,000;

Bureau of Narcotics: "Salaries and expenses", $107,000, to be derived by transfer from the appropriation for "Salaries and expenses", Bureau of Accounts, fiscal year 1965;

Bureau of the Public Debt: "Administering the public debt", $667,000;

Coast Guard:

"Operating expenses", $2,652,000;

"Reserve training", $239,000;

Internal Revenue Service:

"Salaries and expenses", $595,000;

"Revenue accounting and processing", $3,300,000;

"Compliance", $11,500,000;

Office of the Treasurer: "Salaries and expenses", $175,000;

United States Secret Service:

"Salaries and expenses, White House Police", $129,000, to be derived by transfer from the appropriation for "Salaries and expenses", Bureau of Accounts, fiscal year 1965;

"Salaries and expenses, Guard Force", $16,000;

FEDERAL AVIATION AGENCY

"Operations", $9,300,000;

"Operation and maintenance, Washington National Airport", $58,000;

"Operation and maintenance, Dulles International Airport", $60,000;

GENERAL SERVICES ADMINISTRATION

"Operating expenses, Public Buildings Service", $4,055,000;

"Operating expenses, National Archives and Records Service", $542,000;

"Operating expenses, Transportation and Communications Service", $225,000;

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"Strategic and critical materials", $118,500;
"Salaries and expenses, Office of Administrator", $110,000;

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator:
"Salaries and expenses", $660,000;
"Urban studies and housing research", $10,000;
"Open space land grants" (increase of $11,000 in the limitation on the amount available for administrative expenses and technical assistance);
"Low-income housing demonstration program" (increase of $2,300 in the limitation on the amount available for administrative expenses);
"Limitation on administrative expenses, Office of the Administrator, college housing loans" (increase of $75,000 in the limitation on the amount available for administrative expenses);
"Limitation on administrative expenses, Office of the Administrator, public facility loans" (increase of $50,000 in the limitation on the amount available for administrative expenses);
"Limitation on administrative expenses, Office of the Administrator, revolving fund (liquidating programs)" (increase of $4,000 in the limitation on the amount available for administrative expenses);
"Administrative expenses, urban transportation activities", $12,500;
"Limitation on administrative and nonadministrative expenses, Office of the Administrator, housing for the elderly" (increase of $35,000 in the limitation for administrative and nonadministrative expenses);
Federal Housing Administration: "Limitation on administrative and nonadministrative expenses, Federal Housing Administration" (increases of $397,000 in the limitation for administrative expenses and of $1,775,000 in the limitation for nonadministrative expenses);
Public Housing Administration:
"Administrative expenses", $568,000;
"Limitation on administrative and nonadministrative expenses, Public Housing Administration" (increase of $568,000 in the limitation for administrative expenses);

VETERANS ADMINISTRATION

"Medical administration and miscellaneous operating expenses", $696,000;
"Medical and prosthetic research", $783,000;
"Medical care", $38,474,000;

OTHER INDEPENDENT AGENCIES

Advisory Commission on Intergovernmental Relations: "Salaries and expenses", $15,000;
American Battle Monuments Commission: "Salaries and expenses", $16,000;

Civil Aeronautics Board: "Salaries and expenses", $488,000;

Civil Service Commission: "Salaries and expenses", $700,000;

Export-Import Bank of Washington: "Limitation on administrative expenses" (increase of $134,000 in the limitation on the amount available for administrative expenses);

Farm Credit Administration: "Limitation on administrative expenses" (increase of $55,000 in the limitation on the amount available for administrative expenses);

Federal Coal Mine Safety Board of Review: "Salaries and expenses", $3,000;

Federal Communications Commission: "Salaries and expenses", $600,000;

Federal Home Loan Bank Board:

"Limitation on administrative and nonadministrative expenses, Federal Home Loan Bank Board" (increase of $81,000 in the limitation on the amount available for administrative expenses);

"Limitation on administrative expenses, Federal Savings and Loan Insurance Corporation" (increase of $7,800 in the limitation on the amount available for administrative expenses);

Federal Maritime Commission: "Salaries and expenses", $183,000;

Federal Mediation and Conciliation Service: "Salaries and expenses", $234,000;

Federal Power Commission: "Salaries and expenses", $535,000;

Federal Trade Commission: "Salaries and expenses", $600,000;

Foreign Claims Settlement Commission: "Salaries and expenses", $64,000;

Indian Claims Commission: "Salaries and expenses", $25,000;

Interstate Commerce Commission: "Salaries and expenses", $1,230,000;

National Capital Planning Commission: "Salaries and expenses", $31,000;

National Labor Relations Board: "Salaries and expenses", $1,157,500;

National Mediation Board: "Salaries and expenses", $52,000;

Participation in Interstate-Federal Commissions: Delaware River Basin Commission: "Salaries and expenses", $5,000;

Railroad Retirement Board: "Limitation on salaries and expenses" (increase of $200,000 in the limitation on "Salaries and expenses" to be derived from the railroad retirement account);

Saint Lawrence Seaway Development Corporation: "Limitation on administrative expenses, Saint Lawrence Seaway Development Corporation" (increase of $20,000 in the limitation on the amount available for administrative expenses);

Securities and Exchange Commission: "Salaries and expenses", $612,000;

Selective Service System: "Salaries and expenses", $1,353,000;

Small Business Administration: "Salaries and expenses", $336,000;

Smithsonian Institution:

"Salaries and expenses", $540,000;

"Salaries and expenses, National Gallery of Art", $80,000;

Tariff Commission: "Salaries and expenses", $95,000;

Tax Court of the United States: "Salaries and expenses", $223,300;

United States Information Agency: "Salaries and expenses", $2,454,000;

DISTRICT OF COLUMBIA

(Out of District of Columbia Funds)

Operating expenses:

"Public safety", $4,499,800, of which $266,300 shall be available from the highway fund;

"Education", $3,522,500;

"Parks and recreation", $244,200;

"Health and welfare", $1,294,500;

"Highways and traffic", $50,000, which shall be payable from the highway fund (including $3,000 from the motor vehicle parking account);

"Sanitary engineering", $255,900, of which $91,400 shall be payable from the water fund and $26,900 shall be payable 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, 1965.

78 Stat. 588.

GENERAL PROVISIONS

Personal services expenditures.

SEC. 302. 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 1965, 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.

78 Stat. 525.
42 USC 2881.

SEC. 303. Section 331(c) of Public Law 88-452 is hereby amended by striking out "January 31, 1965" and inserting in lieu thereof "June 30, 1965".

TITLE IV

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 19, Eighty-ninth Congress and House Document Numbered 113, Eighty-ninth Congress, $31,411,444, 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.

Approved April 30, 1965.

Public Law 89-17

May 1, 1965
[H. R. 2594]

AN ACT

To clarify the application of certain annuity increase legislation.

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 1(a) of the Act of June 25, 1958 (Public Law 85-465), and section 1101(a) of the Act of October 11, 1962 (Public Law 87-793), the words "entitled to receive an annuity" shall, from and after the respective effective dates (August 1, 1958, and January 1, 1963) of the annuity increases provided by such Acts, not include any person whose annuity commencing date occurs after the effective date of the annuity increase involved.

72 Stat. 218; 76 Stat. 868.
5 USC 2259 note.

Approved May 1, 1965.

Public Law 89-18

May 7, 1965
[H. J. Res. 447]

JOINT RESOLUTION

Making a supplemental appropriation for the fiscal year ending June 30, 1965, for military functions of the Department of Defense, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1965, namely:

Department of Defense, supplemental appropriation.

DEPARTMENT OF DEFENSE

EMERGENCY FUND, SOUTHEAST ASIA

For transfer by the Secretary of Defense, upon determination by the President that such action is necessary in connection with military activities in southeast Asia, to any appropriation available to the Department of Defense for military functions, to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred, $700,000,000, to remain available until expended: *Provided*, That transfers under this authority may be made, and funds utilized, without regard to the provisions of subsection (b) of section 412 of Public Law 86-149, as amended, 10 U.S.C. 4774(d), 10 U.S.C. 9774(d), and 41 U.S.C. 12.

77 Stat. 329.
70A Stat. 269, 590.

Approved May 7, 1965.

Public Law 89-19

May 15, 1965
[S. 60]

AN ACT

To authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes.

Nez Perce National Historical Park, Idaho, designation.

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 facilitate protection and provide interpretation of sites in the Nez Perce country of Idaho that have exceptional value in commemorating the history of the Nation.

SEC. 2. To implement this purpose the Secretary of the Interior may designate as the Nez Perce National Historical Park various component sites in Federal and non-Federal ownership relating to the early Nez Perce culture, the Lewis and Clark Expedition through the area, the fur trade, missionaries, gold mining and logging, the Nez Perce war of 1877, and such other sites as he finds will depict the role of the Nez Perce country in the westward expansion of the Nation.

Acquisition of lands.

SEC. 3. The Secretary of the Interior may acquire by donation or with donated funds such lands, or interests therein, and other property which in his judgment will further the purpose of this Act and he may purchase with appropriated funds land, or interests therein, required for the administration of the Nez Perce National Historical Park: *Provided*, That he may purchase no more than one thousand five hundred acres in fee, and no more than one thousand five hundred acres in scenic easements. The Nez Perce Tribe's governing body, if it so desires, with the approval of the Secretary of the Interior, is authorized to sell, donate, or exchange tribal-owned lands held in trust needed to further the purpose of this Act.

Tribal-owned lands.

Inclusion of Indian trust land and Federal-ownership sites.

SEC. 4. (a) Indian trust land may be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the beneficial owner. Sites in Federal ownership under the administrative jurisdiction of other Government agencies may likewise be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the agency having administrative responsibility therefor, but such designation shall effect no transfer of administrative control unless the administering agency consents thereto. Not more than one thousand and five hundred acres overall shall be designated pursuant to the foregoing provisions of this subsection. The Secretary of the Interior may cooperate with the Nez Perce Tribe or the administering agency, as the case may be, in research into and interpretation of the significance of any site so designated and in providing desirable interpretive services and facilities and other facilities required for public access to and use and enjoyment of the site and in conservation of the scenic and other resources thereof.

Cooperative agreements with property owners.

(b) The Secretary of the Interior may enter into cooperative agreements with the owners of property which, under the provisions of this Act, may be designated for inclusion in Nez Perce National Historical Park as sites in non-Federal ownership, and he may assist in the preservation, renewal, and interpretation of the properties, provided the cooperative agreements shall contain, but not be limited to, provisions that: (1) the Secretary has right of access at all reasonable times to all public portions of the property for the purpose of conducting visitors through the property and interpreting it to the public, and (2) no changes or alterations shall be made in the properties, including buildings and grounds, without the written consent of the Secretary.

Administration.

SEC. 5. When the Secretary of the Interior determines that he has acquired title to, or interest in, sufficient properties or determines that

he has entered into appropriate cooperative agreements with owners of non-Federal properties, or any combination thereof including the designation of sites already in Federal ownership, he shall by publication in the Federal Register establish the Nez Perce National Historical Park and thereafter administer the Federal property under his administrative jurisdiction in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

Publication in Federal Register.

SEC. 6. (a) In order to carry out the purpose of this Act the Secretary of the Interior may contract and make cooperative agreements with the State of Idaho, its political subdivisions or agencies, corporations, associations, the Nez Perce Tribe, or individuals, to protect, preserve, maintain, or operate any site, object, or property included within the Nez Perce National Historical Park, regardless of whether title thereto is in the United States: *Provided*, That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

Cooperative agreements with the State of Idaho, etc.

(b) To facilitate the interpretation of the Nez Perce country the Secretary is authorized to erect and maintain tablets or markers in accordance with the provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes" (49 Stat. 666).

Markers.

16 USC 461-467.

SEC. 7. There are hereby authorized to be appropriated the sums of not more than $630,000 for the acquisition of lands and interests in land and not more than $1,337,000 for construction, restoration work, and other improvements at the Nez Perce National Historical Park under this Act.

Appropriation.

Approved May 15, 1965.

Public Law 89-20

May 15, 1965
[H. R. 5702]

AN ACT

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4(b) of Public Law 88-354, approved July 3, 1964 (78 Stat. 270), is amended by striking out the figures "1965," and inserting in lieu thereof the figures "1966".

Food marketing.

7 USC 1621 note.

(b) Section 7 of such Act (78 Stat. 272) is amended by striking out the figures "$1,500,000" and inserting in lieu thereof the figures "$2,500,000".

Appropriation.

Approved May 15, 1965.

Public Law 89-21

May 21, 1965
[H. R. 7855]

AN ACT

To authorize appropriations for procurement of small patrol cutters for the Coast Guard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to any funds previously authorized to be appropriated, funds are hereby authorized to be appropriated for fiscal year 1966 for the use of the Coast Guard in the amount of $6,260,000 for the procurement of seventeen small patrol cutters.

Coast Guard.
Appropriation.

Approved May 21, 1965.

Public Law 89-22

May 21, 1965
[H. R. 7064]

AN ACT

To amend the Foreign Service Buildings Act of 1926, as amended.

Saigon chancery. Construction.

44 Stat. 404.

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 of 1926, as amended (22 U.S.C. 295), is further amended by adding the following new subsection:

"(e) For the purpose of carrying into effect the provisions of this Act in South Vietnam, there is hereby authorized to be appropriated, in addition to amounts previously authorized prior to the enactment of this amendment, $1,000,000, to remain available until expended."

Appropriation.

Approved May 21, 1965.

Public Law 89-23

May 22, 1965
[S. 701]

AN ACT

To carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes.

International Coffee Agreement Act, 1965.

Regulations.

14 UST 1911.

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 Coffee Agreement Act of 1965".

SEC. 2. On and after the entry into force of the International Coffee Agreement, 1962, and for such period prior to October 1, 1968, as the agreement remains in effect, or until the Congress by concurrent resolution determines that an unwarranted increase in the price of coffee has occurred, the President is authorized, in order to carry out the provisions of that agreement—

(1) to regulate the entry of coffee for consumption, or withdrawal of coffee from warehouse for consumption, including (A) the limitation of entry, or withdrawal from warehouse, of coffee imported from countries which are not members of the International Coffee Organization, and (B) the prohibition of entry of any shipment from any member of the International Coffee Organization of coffee which is not accompanied by a certificate of origin or a certificate of reexport, issued by a qualified agency in such form as required under the agreement;

(2) to require that every export or reexport of coffee from the United States shall be accompanied by a certificate of origin or a certificate of reexport, issued by a qualified agency of the United States designated by him, in such form as required under the agreement;

(3) to require the keeping of such records, statistics, and other information, and the rendering of such reports, relating to the importation, distribution, prices, and consumption of coffee as he may from time to time prescribe; and

(4) to take such other action, and issue and enforce such rules and regulations, as he may consider necessary or appropriate in order to implement the obligations of the United States under the agreement.

"Coffee."

SEC. 3. As used in section 2 of this Act, "coffee" means coffee as defined in article 2 of the International Coffee Agreement, 1962.

Presidential powers and duties.

SEC. 4. The President may exercise any powers and duties conferred on him by this Act through such agency or officer as he shall direct. The powers and duties conferred by this Act shall be exercised in the

manner the President considers appropriate to protect the interests of United States consumers.

SEC. 5. The President shall submit to the Congress an annual report on the International Coffee Agreement, 1962. Such report shall contain full information on the operation of such agreement, including full information with respect to the general level of prices of coffee. The report shall also include a summary of the actions the United States and the International Coffee Organization have taken to protect the interests of United States consumers. Such annual report shall be submitted not later than January 15 of each year. The first such report shall be submitted not later than January 15, 1966.

Report to Congress.

SEC. 6. There are hereby authorized to be appropriated from time to time such sums as may be necessary to carry out the provisions of this Act, including the necessary expenses and contributions of the United States in connection with the administration of the International Coffee Agreement, 1962. The amount of the contributions of the United States to administer the agreement for any period shall not exceed 20 per centum of the total contributions assessed for such period to administer the agreement, nor shall such amount exceed $150,000 for any fiscal year.

Appropriation.

SEC. 7. The joint resolution of April 11, 1941, entitled "Joint resolution to carry out the obligations of the United States under the Inter-American Coffee Agreement, signed at Washington on November 28, 1940, and for other purposes" (19 U.S.C. 1355 and 1356) is repealed.

Repeal.

55 Stat. 133, 1143.

SEC. 8. This Act will not become effective until the President makes a determination and reports the determination to the Congress that, in his judgment, it will not result in an unwarranted increase in coffee prices to United States consumers.

Effective date.

Approved May 22, 1965.

Public Law 89-24

May 22, 1965
[H. R. 66]

AN ACT

To authorize the Board of Parole of the District of Columbia to discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced.

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 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 (sec. 24-204, District of Columbia Code, 1961 edition), is amended by inserting "(a)" immediately after "SEC. 4." and by adding a new subsection at the end of section 4 to read as follows:

D.C. Parolees under supervision, discharge.

61 Stat. 378.

"(b) Notwithstanding the provisions of subsection (a) of this section, the Board of Parole may, subject to the approval of the Board of Commissioners of the District of Columbia, promulgate rules and regulations under which the Board of Parole, in its discretion, may discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced."

SEC. 2. 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 Title 1, app.

Approved May 22, 1965.

Public Law 89-25

May 22, 1965
[H. J. Res. 195]

JOINT RESOLUTION

To authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1966, to be held in Washington, District of Columbia; to authorize the granting of certain permits to The American Legion 1966 Convention Corporation of the District of Columbia on the occasion of such convention, and for other purposes.

D.C.
American Legion National Convention, 1966.
Special regulations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the period of the American Legion National Convention of 1966, to be held in the District of Columbia on August 29, 30, and 31, and September 1, 1966, 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 deem proper.

Definitions.

SEC. 2. For the purposes of this Act—

(a) "Commissioners" means the Commissioners of the District of Columbia, or their designated agent or agents;

(b) "Corporation" means the American Legion 1966 Convention Corporation of the District of Columbia, or its designated agents;

(c) "Convention" means the American Legion National Convention of 1966, to be held in the District of Columbia on August 29, 30, and 31, and September 1, 1966;

(d) "Period" and "convention period" mean the ten-day period beginning August 25, 1966;

(e) "Secretary of Defense" means the Secretary of Defense, or his designated agents; and

(f) "Secretary of the Interior" means the Secretary of the Interior, or his designated agents.

Appropriation.

SEC. 3. There are 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 advance to the corporation's guaranty fund $25,000, for the reimbursement of which the District shall have a prior claim on any moneys available to the corporation for repayment to guarantors, and to provide additional municipal services in said District during the convention 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 grounds, 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 convention 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 during the convention period 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 convention period, be restored to its previous condition. The corporation shall indemnify and save harmless the District of Columbia, the United States, and the appropriate agencies of the United States 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.

Lighting, etc.

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 convention 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, the United States and the appropriate agencies of the United States 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.

Equipment, loans.

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 convention period, the corporation shall indemnify the United States 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.

Overhead wiring, etc.

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 convention purposes. Such wires shall be removed within ten days after the end of the convention period.

Enforcement of regulations, etc.

SEC. 8. The regulations and licenses authorized by this Act shall be in full force and effect only during the convention 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.

Newspaper publication.

Penalties.

Liability.

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 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.

SEC. 10. Nothing 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 May 22, 1965.

Public Law 89-26

May 22, 1965
[H. R. 3043]

AN ACT

To amend title 37, United States Code, to authorize payment of special allowances to dependents of members of the uniformed services to offset expenses incident to their evacuation, and for other purposes.

Uniformed Services.
Dependents, evacuation allowances.
76 Stat. 473.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 37, United States Code, is amended as follows:

(1) The following new section is inserted after section 405:

"§ 405a. Travel and transportation allowances: evacuation allowances

"(a) Under regulations prescribed by the Secretaries concerned, when dependents of members of the uniformed services are ordered evacuated by competent authority from places outside the United States to places inside the United States, they may be authorized such allowances as the Secretary concerned determines necessary to offset the expenses incident to the evacuation. Allowances authorized by this section are in addition to those authorized by any other section of this title. For the purposes of this section, a dependent 'ordered evacuated by competent authority' includes—

Definition.

"(1) a dependent who is present at or in the vicinity of the member's duty station when the evacuation of dependents is ordered by competent authority and who actually moves to an authorized safe haven designated by that authority, whether such

safe haven is at or in the vicinity of the member's duty station or elsewhere;

"(2) a dependent who established a household at or in the vicinity of the member's duty station but who is temporarily absent therefrom for any reason when evacuation of dependents is ordered by competent authority; and

"(3) a dependent who was authorized to join the member and who departed from his former place of residence incident to joining the member but who, as a result of the evacuation of dependents, is diverted to a safe haven designated by competent authority or is authorized to travel to a place the dependent may designate, even though he was in the United States when the evacuation was ordered.

Transportation of vehicle.

"(b) Under regulations prescribed by the Secretaries concerned, each member whose dependents are covered by subsection (a) of this section is entitled to have one motor vehicle owned by him and for his personal use, or the use of the dependents, transported at the expense of the United States to a designated place for the use of the dependents. When the dependents are permitted to rejoin the member, the vehicle may be transported at the expense of the United States to his permanent duty station."

37 USC 401-427.

(2) The analysis of chapter 7 is amended by inserting the following new item:

"405a. Travel and transportation allowances: evacuation allowances."

(3) Section 407(a) is amended by inserting the words ", or whose dependents are covered by section 405a(a) of this title" after the word "station".

(4) Section 407(b) is amended—

(A) by striking out the word "or" at the end of clause (1);

(B) by striking out the period at the end of clause (2) and inserting the word "; or" in place thereof; and

(C) by adding the following after clause (2):

"(3) the member's dependents are covered by section 405a(a) of this title."

(5) Section 411(a) is amended by inserting the figure "405a," after the figure "405,".

Recovery rights, waiver.

(6) Section 1006 is amended—

(A) by adding the following sentence at the end of subsection (c): "The Secretary concerned or his designee may waive any right of recovery of not more than one month's basic pay advanced under this subsection if he finds that recovery of the advance would be against equity and good conscience or against the public interest."; and

Advance payments.

(B) by adding at the end:

"(g) Under regulations prescribed by the Secretary concerned, the dislocation allowance authorized by section 407 of this title for a member of a uniformed service whose dependents are covered by section 405a(a) of this title may be paid in advance of the evacuation of the dependents and to the dependents designated by the member."

Effective and termination dates.

SEC. 2. This Act becomes effective on February 1, 1965, and terminates on June 30, 1966.

Approved May 22, 1965.

Public Law 89-27

May 27, 1965
[H. R. 2998]

AN ACT

To amend the Arms Control and Disarmament Act, as amended, in order to continue the authorization for appropriations.

Arms Control and Disarmament Act, amendment.
75 Stat. 639;
77 Stat. 341.

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 49(a) of the Arms Control and Disarmament Act, as amended (22 U.S.C. 2589(a)), is amended by inserting immediately after "$20,000,000", the following: ", and for the three fiscal years 1966 through 1968, the sum of $30,000,000".

Approved May 27, 1965.

Public Law 89-28

May 27, 1965
[S. 702]

AN ACT

To provide for the disposition of judgment funds on deposit to the credit of the Quinaielt Tribe of Indians.

Quinaielt 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 unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Quinaielt Tribe of Indians 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 242, and the interest thereon, less litigation 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 portion of such funds that may be distributed as per capita payments to the members of the tribe shall not be subject to Federal or State income tax.

Approved May 27, 1965.

Public Law 89-29

May 27, 1965
[H. J. Res. 436]

JOINT RESOLUTION

To amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

76 Stat. 151;
78 Stat. 581.
7 USC 1314b.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out "1964" wherever it appears in said subsection and substituting therefor "1965".

Approved May 27, 1965.

Public Law 89-30

June 2, 1965
[H. R. 3995]

AN ACT

To transfer certain functions of the Secretary of the Treasury, and for other purposes.

48 Stat. 759.
5 USC 297a note, 248a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 3753 of the Revised Statutes, as affected by section 512 (b) and (c) of the Act of May 10, 1934 (40 U.S.C. 308), is amended to read as follows:

"Whenever any property owned or held by the United States, or in which the United States has or claims an interest, shall, in any judicial proceeding under the laws of any State, district, or territory, be seized, arrested, attached, or held for the security or satisfaction of any claim made against such property, the Attorney General, in his discretion, may direct the United States Attorney for the district in which the property is located, to cause a stipulation to be entered into for the discharge of such property from such seizure, arrest, attachment, or proceeding, to the effect that upon such discharge, the person asserting the claim against such property shall become entitled to all the benefits of this and the following section."

(b) The first sentence of section 3754 of the Revised Statutes (40 U.S.C. 309) is amended by substituting "Attorney General" for "Secretary of the Treasury".

SEC. 2. Section 3750 of the Revised Statutes, as affected by section 512 (b) and (c) of the Act of May 10, 1934 (40 U.S.C. 301), is amended by substituting "Administrator of General Services" for "General Counsel for the Department of the Treasury".

SEC. 3. Section 3751 of the Revised Statutes, as affected by section 512 (b) and (c) of the Act of May 10, 1934 (40 U.S.C. 306), is amended by substituting "Administrator of General Services" for "General Counsel for the Department of the Treasury".

SEC. 4. The first sentence of section 3755 of the Revised Statutes (40 U.S.C. 310) is amended by substituting "Administrator of General Services" for "Secretary of the Treasury".

SEC. 5. The first sentence of section 3470 of the Revised Statutes as affected by section 512 (b) and (c) of the Act of May 10, 1934 (31 U.S.C. 195), is amended to read as follows: "At every sale, on execution, at the suit of the United States, of lands or tenements of a debtor, the United States may, by such agent as the head of the department or independent agency at whose instance suit was instituted shall appoint, become the purchaser thereof; but in no case shall the agent bid in behalf of the United States a greater amount than that of the judgment for which such estate may be exposed to sale, and the costs."

Approved June 2, 1965.

Public Law 89-31

June 2, 1965
[H. R. 6497]

AN ACT

To amend the Bretton Woods Agreements Act to authorize an increase in the International Monetary Fund quota of the United States.

Bretton Woods Agreements Act, amendment.
59 Stat. 512.
U.S. quota, increase.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bretton Woods Agreements Act, as amended (22 U.S.C. 286—286k-1), is amended by adding at the end thereof the following new section:

"SEC. 20. (a) The United States Governor of the Fund is authorized to consent to an increase of $1,035,000,000 in the quota of the United States in the Fund.

"(b) In order to pay the increase in the United States subscription to the Fund provided for in this section, there is hereby authorized to be appropriated $1,035,000,000, to remain available until expended."

Approved June 2, 1965.

Public Law 89-32

June 2, 1965
[H. R. 8122]

AN ACT

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.

Atomic Energy Commission. Appropriation authorization. 77 Stat. 88. 42 USC 2017.

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 $2,555,521,000 as follows:

(a) For "Operating expenses," $2,260,776,000.

(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, $294,745,000 as follows:

(1) SPECIAL NUCLEAR MATERIALS.—

Project 66-1-a, sludge removal and waste transfer facility, Richland, Washington, $2,650,000.

(2) ATOMIC WEAPONS.—

Project 66-2-a, vibration test data and control facility, Sandia Base, New Mexico, $640,000.

Project 66-2-b, weapons production, development, and test installations, $10,000,000.

Project 66-2-c, electron-positron accelerator facility, Lawrence Radiation Laboratory, Livermore, California, $4,100,000.

Project 66-2-d, environmental test facility, Lawrence Radiation Laboratory, Livermore, California, $2,300,000.

(3) ATOMIC WEAPONS.—

Project 66-3-a, weapons test support facility, Los Alamos Scientific Laboratory, New Mexico, $1,300,000.

Project 66-3-b, supplemental water supply, Los Alamos, New Mexico, $700,000.

Project 66-3-c, physics analytical facility, Los Alamos Scientific Laboratory, New Mexico, $830,000.

Project 66-3-d, explosives engineering area rehabilitation, Los Alamos Scientific Laboratory, New Mexico, $1,350,000.

Project 66-3-e, warehouses, Nevada Test Site, Nevada, $680,000.

Project 66-3-f, control point additions and modifications, phase II, Nevada Test Site, Nevada, $1,000,000.

(4) REACTOR DEVELOPMENT.—

Project 66-4-a, sodium pump test facility, $6,800,000.

Project 66-4-b, electron linear accelerator, Oak Ridge National Laboratory, Tennessee, $4,800,000.

Project 66-4-c, modifications to reactors, $3,000,000.

Project 66-4-d, research and development test plants, Project Rover, Los Alamos Scientific Laboratory, New Mexico, and Nevada Test Site, Nevada, $3,000,000.

Project 66-4-e, re-entry burnup test facility, Sandia Base, New Mexico, $2,500,000.

(5) PHYSICAL RESEARCH.—

Project 66-5-a, low-energy accelerator improvements, Argonne National Laboratory, Illinois, $1,000,000.

Project 66-5-b, bubble chamber and experimental area, Argonne National Laboratory, Illinois, $17,000,000.

Project 66-5-c, accelerator improvements, zero gradient synchrotron, Argonne National Laboratory, Illinois, $2,300,000.

Project 66-5-d, accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York, $2,300,000.

Project 66-5-e, alternating gradient synchrotron conversion, Brookhaven National Laboratory, New York (AE only), $2,000,000.

Project 66-5-f, accelerator improvements, Cambridge and Princeton accelerators, $475,000.

Project 66-5-g, accelerator improvements, Lawrence Radiation Laboratory, Berkeley, California, $1,425,000.

Project 66-5-h, meson physics facility, Los Alamos Scientific Laboratory, New Mexico (AE only), $1,200,000.

(6) PHYSICAL RESEARCH.—

Project 66-6-a, solid state science building, Argonne National Laboratory, Illinois, $4,000,000.

Project 66-6-b, alternating gradient synchrotron service building addition, Brookhaven National Laboratory, New York, $1,600,000.

Project 66-6-c, land acquisition, Brookhaven National Laboratory, New York, $2,000,000.

Project 66-6-d, electron linear accelerator facility, Massachusetts Institute of Technology, Massachusetts, $4,600,000.

(7) BIOLOGY AND MEDICINE.—

Project 66-7-a, virus control laboratory, Oak Ridge National Laboratory, Tennessee, $1,360,000.

Project 66-7-b, co-carcinogenesis mammalian receiving, isolation, and control laboratory, Oak Ridge National Laboratory, Tennessee, $500,000.

Project 66-7-c, animal laboratories, Brookhaven National Laboratory, New York, $975,000.

Project 66-7-d, air conditioning, Argonne Cancer Research Hospital, Chicago, Illinois, $750,000.

(8) COMMUNITY.—

Project 66-8-a, classroom additions, White Rock Elementary School, Los Alamos, New Mexico, $325,000.

Project 66-8-b, classroom addition, Pueblo Junior High School, Los Alamos, New Mexico, $65,000.

Project 66-8-c, classroom addition, Barranca Mesa Elementary School, Los Alamos, New Mexico, $225,000.

Project 66-8-d, classroom addition, Los Alamos High School, Los Alamos, New Mexico, $360,000.

Project 66-8-e, Bayo Canyon sewage disposal plant expansion, Los Alamos, New Mexico, $950,000.

(9) GENERAL PLANT PROJECTS.—$42,325,000.

(10) CONSTRUCTION PLANNING AND DESIGN.—$3,000,000.

(11) CAPITAL EQUIPMENT.—Acquisition and fabrication of capital equipment not related to construction, $158,360,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set forth in subsections 101(b) (2), (4), and (5), 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 subsections 101(b) (1), (3), (6), (7), and (8), 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)(9) 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)(9) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

Construction design services.

SEC. 103. The Commission is authorized to use funds appropriated pursuant to this authorization, and other funds currently available to the Commission, for the purpose of performing 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.

Transfer of amounts.

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.

71 Stat. 409; 78 Stat. 230.

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, 1965" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1966".

SEC. 106. LARGE SEED-BLANKET REACTOR.—(a) The Commission is hereby authorized to enter into a cooperative arrangement with a State, its departments and agencies, or with privately, publicly, or cooperatively owned utilities or industrial organizations, for participation in the research and development, design, construction, and operation of a thorium seed-blanket nuclear powerplant, in accordance with the basis for an arrangement described in program justification data submitted by the Commission to the Joint Committee on Atomic Energy, without regard to the provisions of section 169 of the Atomic Energy Act of 1954, as amended, and authorization of appropriations therefor in the amount of $91,500,000 is included in section 101 of this Act.

68 Stat. 952. 42 USC 2209.

Limitation.

(b) Not in excess of $25,000,000 of the funds appropriated to the Commission pursuant to the authorization contained in subsection (a) of this section may be used by the Commission for the purpose of performing research and development on a thorium seed-blanket nuclear powerplant prior to execution of a contract pursuant to the authorization contained in subsection (a) of this section.

SEC. 107. HIGH-TEMPERATURE GAS-COOLED POWER REACTOR.—The Commission is hereby authorized to enter into a cooperative arrangement with a utility or group of utilities and an equipment manufacturer or other industrial organization for participation in the research and development, design, construction, and operation of a high-temperature gas-cooled nuclear powerplant, 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 1966, without regard to the provisions of section 169 of the Atomic Energy Act of 1954, as amended, and authorization of appropriations therefor in the amount of $40,863,000 is included in section 101 of this Act: *Provided*, That the Commission is also authorized to waive use charges for special nuclear materials in connection with this project in an amount not to exceed $6,443,000, and to agree to purchase uranium enriched in the isotope 233 produced in and discharged from

the reactor during the term of the cooperative arrangement without regard to the provisions of section 56 of the Atomic Energy Act of 1954, as amended.

78 Stat. 605.
42 USC 2076.

SEC. 108. RESCISSIONS.—(a) Public Law 87-701, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

76 Stat. 599.

Project 63-b-4, emergency duty personnel shelters, various sites, $4,000,000.

(b) Public Law 88-72, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

77 Stat. 85.

Project 64-e-8, modifications to CANEL facilities, Middletown, Connecticut, $1,455,000.

(c) Section 111 of Public Law 87-701, as amended, is rescinded.

76 Stat. 603.

(d) Section 105 of Public Law 88-72, as amended, is rescinded.

77 Stat. 86.

(e) Section 106 of Public Law 88-72, as amended, is rescinded.

Approved June 2, 1965.

Public Law 89-33

AN ACT

June 5, 1965
[S. 339]

To provide for the establishment of the Agate Fossil Beds National Monument in the State of Nebraska, and for other purposes.

Agate Fossil Beds National Monument, Nebr. 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 and enjoyment of present and future generations the outstanding paleontological sites known as the Agate Springs Fossil Quarries, and nearby related geological phenomena, to provide a center for continuing paleontological research and for the display and interpretation of the scientific specimens uncovered at such sites, and to facilitate the protection and exhibition of a valuable collection of Indian artifacts and relics that are representative of an important phase of Indian history, the Secretary of the Interior is authorized to acquire by donation, or by purchase with donated or appropriated funds, or otherwise, title or a lesser interest in not more than three thousand one hundred and fifty acres of land in township 28 north, range 55 west, sixth principal meridian, Sioux County, Nebraska, for inclusion in the Agate Fossil Beds National Monument in accordance with the boundary designation made pursuant to section 2 hereof, which boundary may include such right-of-way as is needed for a road between the Stenomylus Quarry site and the monument lands lying in section 3 or 10 of the said township and range.

Acquisition of lands.

SEC. 2. Within the acreage limitation of section 1, the Secretary may designate and adjust the boundaries of Agate Fossil Beds National Monument. When the Secretary finds that lands constituting an initially administrable unit are in Federal ownership, he shall establish such national monument by publication of notice thereof in the Federal Register, and any subsequent adjustment of its boundaries shall be effectuated in the same manner.

Publication in Federal Register.

Administration.

SEC. 3. The Agate Fossil Beds National Monument shall be administered by the Secretary of the Interior pursuant to 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.

Appropriation.

SEC. 4. There are hereby authorized to be appropriated the sums of not more than $301,150 for acquisition of lands and interests in land and not more than $1,842,000 for development in connection with the Agate Fossil Beds National Monument under this Act.

Approved June 5, 1965.

Public Law 89-34

June 5, 1965
[H. R. 6691]

AN ACT

To validate certain payments made to employees of the Forest Service, United States Department of Agriculture.

Forest Service. Payments to employees, validation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That overpayments made by the Forest Service, United States Department of Agriculture, during the forest fire seasons, 1961, 1962, and 1963 to employee-members of southwestern firefighter crews from New Mexico and Arizona, whose services were used in fighting forest fires in Idaho, Nevada, California, Colorado, and Wyoming, and payments for traveltime in excess of eight hours a day and for traveltime prior to actual start of travel, are hereby validated.

SEC. 2. The Comptroller General of the United States, or his designee, shall relieve authorized certifying and disbursing officers of the Forest Service, United States Department of Agriculture, 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.

Approved June 5, 1965.

Public Law 89-35

June 5, 1965
[H. R. 806]

AN ACT

To amend the Textile Fiber Products Identification Act to permit the listing on labels of certain fibers constituting less than 5 per centum of a textile fiber product.

Textile Fiber Products Identification Act, amendment.
72 Stat. 1719.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of subsection (b) of section 4 of the Textile Fiber Products Identification Act (15 U.S.C. 70b(b)(1)) is amended by inserting immediately before the period at the end thereof the following: ", but nothing in this section shall be construed as prohibiting the disclosure of any fiber present in a textile fiber product which has a clearly established and definite functional significance where present in the amount contained in such product".

SEC. 2. Paragraph (2) of subsection (b) of section 4 of the Textile Fiber Products Identification Act is amended by inserting immediately before ": *Provided further*" the following: ", but nothing in this section shall be construed as prohibiting the disclosure of any fiber present in a textile fiber product which has a clearly established and definite functional significance where present in the amount stated".

Approved June 5, 1965.

Public Law 89-36

June 8, 1965
[H. R. 7031]

AN ACT

To provide for the establishment and operation of a National Technical Institute for the Deaf.

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 Technical Institute for the Deaf Act".

National Technical Institute for the Deaf Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. For the purpose of providing a residential facility for post-secondary technical training and education for persons who are deaf in order to prepare them for successful employment, 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 National Technical Institute for the Deaf, including sums necessary for the acquisition of property, both real and personal, and for the construction of buildings and other facilities for such Institute.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "institution of higher education" means an educational institution in any State or in the District of Columbia which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State (or in the District of Columbia) to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree, (4) includes one or more professional or graduate schools, (5) is a public or nonprofit private institution, and (6) is accredited by a nationally recognized accrediting agency or association. For purposes of this subsection, the Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(c) The term "construction" includes construction and initial equipment of new buildings, expansion, remodeling, and alteration of existing buildings and equipment thereof, and acquisition of land; including architect's services, but excluding off-site improvements.

PROPOSALS

SEC. 4. Any institution of higher education which desires to enter into an agreement with the Secretary to establish and operate a National Technical Institute for the Deaf shall submit a proposal therefor at such time, in such manner, and containing such information as may be prescribed by the Secretary.

AGREEMENT TO ESTABLISH INSTITUTE

SEC. 5. (a) The Secretary, after consultation with the National Advisory Board created by section 6, is authorized to enter into an agreement with an institution of higher education for the establishment and operation, including construction and equipment, of a National Technical Institute for the Deaf. The Secretary, in considering proposals from institutions of higher education to enter into an agreement under this Act, shall give preference to institutions which are located in metropolitan industrial areas.

Provisions.

(b) The agreement shall—

(1) provide that Federal funds appropriated for the benefit of the Institute 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;

Advisory group. Appointment.

(2) provide that the Board of Trustees or other governing body of the institution, subject to the approval of the Secretary, will appoint an advisory group to advise the Director of the Institute in formulating and carrying out the basic policies governing its establishment and operation, which group shall include persons who are professionally concerned with education and technical training at the post secondary school level, persons who are professionally concerned with activities relating to education and training of the deaf, and members of the public familiar with the need for services provided by the Institute;

Report to Congress.

(3) provide that the Board of Trustees or other governing body of the institution will make an annual report to the Secretary. The Secretary shall transmit the report of the institution to the Congress with such comments and recommendations as he may deem appropriate;

(4) include such other conditions as the Secretary, after consultation with the National Advisory Board, deems necessary to carry out the purposes of this Act; and

(5) 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 Institute 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).

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267.

63 Stat. 108.

(c) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which such funds have been paid—

(A) the facility ceases to be used for the purposes for which it was constructed or the agreement is terminated, unless the Secretary determines that there is good cause for releasing the institution from its obligation, or

Federal funds. Recovery.

(B) the institution ceases to be the owner of the facility,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

NATIONAL ADVISORY BOARD ON ESTABLISHMENT OF THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

SEC. 6. (a) There is hereby established a National Advisory Board on Establishment of the National Technical Institute for the Deaf, which shall consist of twelve persons, not regular full-time employees of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall appoint one of the members to serve as Chairman. The appointed members shall be selected from among leaders in fields related to education and training of the deaf and other fields of education, and from members of the public familiar with the need for services provided by the Institute. The Commissioner of Education and the Commissioner of Vocational Rehabilitation shall be ex officio members of the Board.

Personnel.

(b) Members of the Board, while serving on business of the Board, shall be entitled to receive compensation at rates fixed by the Secretary, 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 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Compensation.

60 Stat. 808; 75 Stat. 339, 340.

(c) It shall be the function of the Board (1) to review proposals from institutions of higher education which offer to enter into an agreement with the Secretary for the construction and operation of a National Technical Institute for the Deaf, (2) to make recommendations to the Secretary with respect to such proposals, and (3) to make such other recommendations to the Secretary concerning the establishment and operation of the National Technical Institute as may be appropriate.

Functions.

(d) After the Secretary enters into an agreement under this Act, the Board shall cease to exist.

Termination.

Approved June 8, 1965.

Public Law 89-37

June 11, 1965
[S. 800]

AN ACT

To authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, 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 fiscal year 1966 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, and naval vessels, as authorized by law, in amounts as follows:

Armed Forces. Appropriation authorization, 1966.

AIRCRAFT

For aircraft: For the Army, $344,500,000; for the Navy and the Marine Corps, $1,915,800,000; for the Air Force, $3,550,200,000.

MISSILES

For missiles: For the Army, $253,700,000; for the Navy, $364,000,000; for the Marine Corps, $13,000,000; for the Air Force, $796,100,000.

NAVAL VESSELS

For naval vessels: For the Navy, $1,721,000,000, of which amount $133,600,000 is authorized only for the construction of two nuclear powered submarines and $150,500,000 is authorized only for the construction of a nuclear powered guided missile frigate.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are 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, $1,406,400,000;

For the Navy (including the Marine Corps), $1,439,200,000;

For the Air Force, $3,103,900,000, of which amount $150,000,000 is authorized only for the Manned Orbiting Laboratory and $7,000,000 is authorized only for the development of an advanced manned strategic aircraft;

For Defense agencies, $495,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. Outstanding tonnage balances remaining in law for construction of Navy ships are hereby repealed.

SEC. 302. The distribution of the assignments and contracts for construction of warships and escort vessels for which appropriations are authorized by this Act and hereafter shall be in accordance with the requirement of the Act of March 27, 1934 (48 Stat. 503), that the first and each succeeding alternate vessel shall be constructed in the Government Navy yards: *Provided*, That, if inconsistent with the public interests in any year to have a vessel or vessels constructed as required above, the President may have such vessel or vessels built in a Government or private yard as he may direct.

SEC. 303. The assignment of naval ship conversion, alteration, and repair projects shall be made on the basis of economic and military considerations and shall not be restricted by requirements that certain portions of such naval shipwork be assigned to particular types of shipyards or to particular geographical areas or by similar requirements.

77 Stat. 329.

SEC. 304. Section 412(b) of Public Law 86-149, as amended, is amended to read as follows:

"(b) No funds may be appropriated after December 31, 1960, to or for the use of any armed force of the United States for the procurement of aircraft, missiles, or naval vessels, or after December 31, 1962, to or for the use of any armed force of the United States for the research, development, test, or evaluation of aircraft, missiles, or naval vessels, or after December 31, 1963, to or for the use of any armed force of the United States for any research, development, test, or evaluation, or after December 31, 1965, to or for the use of any armed force of the United States for the procurement of tracked combat vehicles, unless the appropriation of such funds has been authorized by legislation enacted after such dates."

SEC. 305. No funds may be appropriated after June 30, 1966, to or for the use of any armed force of the United States for use as an emergency fund for research, development, test, and evaluation, or procurement or production related thereto unless the appropriation of such funds has been authorized by legislation enacted after that date.

SEC. 306. (a) Section 8074 of title 10, United States Code, is amended by adding the following new subsection at the end thereof: 72 Stat. 517.

"(c) The Military Air Transport Service is redesignated as the Military Airlift Command."

(b) The amendment made by subsection (a) of this section shall become effective January 1, 1966. Effective date.

Approved June 11, 1965.

Public Law 89-38

June 12, 1965 [H. R. 821]

AN ACT

For the relief of the town of Kure Beach, North Carolina.

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 town of Kure Beach, North Carolina, the sum of $100,000, which sum was determined by the Court of Claims in congressional case numbered 2-60, decided December 11, 1964, to be the amount equitably due to the town of Kure Beach in full settlement of its claims against the United States based upon the impairment of the collateral value of bonds issued by the Reconstruction Finance Corporation caused by the taking of a buffer zone by the Army extending across the Cape Fear River and into the town of Kure Beach and the resulting partial frustration of the town's obligation to the Housing and Home Finance Agency, holder of the bonds. The amount authorized by this Act is to be paid the town of Kure Beach, North Carolina, on the condition that it be paid to the Housing and Home Finance Agency in accordance with the stipulation entered into by the parties in the proceedings before the Court of Claims in Congressional Case No. 2-60 and referred to in the decision of the Court. 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. Kure Beach, N. C., relief. Penalty.

Approved June 12, 1965.

Public Law 89-39

June 14, 1965 [S. 435]

AN ACT

To extend the boundaries of the Kaniksu National Forest in the State of Idaho, 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 Agriculture is authorized to acquire by exchange, purchase, or otherwise, the real property described in section 3 of this Act. Upon such acquisition the boundaries of the Kaniksu National Forest are extended to include such real property. Kaniksu National Forest, Idaho. Boundaries extension.

SEC. 2. In the acquisition of the real property described in section

3, the Secretary of Agriculture shall be guided by the following policies:

(1) He should make every reasonable effort to acquire the property by negotiated purchase.

(2) The property should be appraised at its fair market value by the Secretary of Agriculture before the initiation of negotiations, and the owner or his designated representative should be given an opportunity to accompany the appraiser during an inspection of the property.

Description.

SEC. 3. The real property authorized to be acquired under authority of this Act is more particularly described as follows:

Township 63 north, range 4 west, Boise meridian:

Section 18, southeast quarter southeast quarter; section 19, northeast quarter northeast quarter, lot 3 (southeast quarter northeast quarter); section 20, southwest quarter northwest quarter; section 33, lot 1 (northeast quarter northwest quarter), lot 2 (southeast quarter northwest quarter), lot 3 (northeast quarter southeast quarter), lot 6 (southeast quarter southwest quarter), west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, southwest quarter southeast quarter.

Township 63 north, range 5 west, Boise meridian:

Section 24, northeast quarter northeast quarter, east half northwest quarter northeast quarter, northeast quarter northeast quarter southwest quarter northeast quarter, northwest quarter southeast quarter northeast quarter, lot 2 (northeast quarter southeast quarter northeast quarter), lot 3 (northeast quarter southeast quarter southeast quarter northeast quarter).

Approved June 14, 1965.

Public Law 89-40

June 14, 1965
[H. R. 7597]

AN ACT

To establish the Veterans Reopened Insurance Fund in the Treasury and to authorize initial capital to operate insurance programs under title 38, United States Code, section 725.

Veterans.
Life insurance.
78 Stat. 1096.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective May 1, 1965, section 725 of title 38, United States Code, is amended as follows:

(1) By placing a period after the word "basis" in clause (8) of subsection (b) and striking all of the remainder of such clause.

(2) By substituting a period for the semicolon at the end of clause (7) of subsection (c) and striking all of the remainder of the subsection.

(3) By amending subsection (d)(1) to read as follows:

Revolving fund, establishment in Treasury.

"(d)(1) All premiums and collections on insurance issued pursuant to this section and any total disability income provision attached thereto shall be credited to the Veterans Reopened Insurance Fund, a revolving fund established in the Treasury of the United States, and all payments on such insurance and any total disability provision attached thereto shall be made from that fund. For actuarial and accounting purposes, the assets and liabilities (including liabilities for repayment of advances hereinafter authorized, and adjustment of

premiums) attributable to the insured groups established under this section shall be separately determined. Such amounts in the Veterans Special Term Insurance Fund in the Treasury, not exceeding $1,650,000 in the aggregate, as may hereafter be determined by the Administrator to be in excess of the actuarial liabilities of that fund, including contingency reserves, shall be available for transfer to the Veterans Reopened Insurance Fund as needed to provide initial capital. Any amounts so transferred shall be repaid to the Treasury over a reasonable period of time with interest as determined by the Secretary of the Treasury taking into consideration the average yield on all marketable interest-bearing obligations of the United States of comparable maturities then forming a part of the public debt."

Initial capital.

(4) By striking the words "subsection (b) of" wherever they appear in subsection (d)(2).

(5) By striking the following words from subsection (d)(3): "or the National Service Life Insurance appropriation, as appropriate,".

Approved June 14, 1965.

Public Law 89-41

June 17, 1965
[S. 2089]

AN ACT

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

Pacific Northwest Disaster Relief Act of 1965.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed $50,000,000 for the fiscal year ending June 30, 1965, and not to exceed $20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

Highways, roads, etc., reconstruction. Appropriation.

73 Stat. 612.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the

Timber sales contractors, reimbursements.

extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than $500 more than the construction costs as originally determined by the respective Secretary.

Exception.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

Forest development roads and trails.
78 Stat. 397.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, $123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed $38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and $85,000,000 for the fiscal year ending June 30, 1967."

Timber sales, public notice.
31 Stat. 661.

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

Public land entry, time extension.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

Eel River, Calif., survey, etc.
Report to Congress.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of

Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier. The Corps of Engineers of the United States Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed $3,875,000 to carry out this section.

Small business loans.
72 Stat. 389.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

72 Stat. 389.
15 USC 636.
Effective date.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

Short title.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

Approved June 17, 1965.

Public Law 89-42

June 18, 1965
[H. R. 6755]

AN ACT

Authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes.

Flood control projects.
Additional appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) in addition to previous authorizations, there is hereby authorized to be appropriated for the prosecution of the comprehensive plan of development of each river basin under the jurisdiction of the Secretary of the Army referred to in the first column below, which was basically authorized by the Act referred to by date of enactment in the second column below, an amount not to exceed that shown opposite such river basin in the third column below:

	Basin	Act of Congress	Amount
59 Stat. 17.	Alabama-Coosa	March 2, 1945	$38,000,000
52 Stat. 1218.	Arkansas River	June 28, 1938	290,000,000
68 Stat. 1259.	Brazos River	September 3, 1954	14,000,000
62. Stat. 1176.	Central and Southern Florida	June 30, 1948	30,000,000
	Columbia River	June 28, 1938	223,000,000
45 Stat. 534, 33 USC 702a.	Lower Mississippi	May 15, 1928	53,000,000
	Missouri River	June 28, 1938	116,000,000
49 Stat. 1586.	Ohio River	June 22, 1936	89,000,000
64 Stat. 165.	Ouachita River	May 17, 1950	11,000,000
	Upper Mississippi River	June 28, 1938	27,000,000
	West Branch Susquehanna River	September 3, 1954	17,000,000

(b) The total amount authorized to be appropriated by this section shall not exceed $908,000,000.

SEC. 2. In addition to previous authorizations, the completion of the Great Lakes to Hudson River Waterway, New York, project, approved in the River and Harbor Act of August 30, 1935, as amended, is hereby authorized at an estimated cost of $5,000,000.

49 Stat. 1030.

SEC. 3. In addition to previous authorizations, the completion of the comprehensive plan for flood control and other purposes in the Los Angeles River Basin, approved by the Flood Control Act of August 18, 1941, as amended and supplemented, is hereby authorized at an estimated cost of $31,000,000.

55 Stat. 647.

Approved June 18, 1965.

Public Law 89-43

AN ACT

June 18, 1965
[S. 1135]

To further amend the Reorganization Act of 1949, as amended, so that such Act will apply to reorganization plans transmitted to the Congress at any time before December 31, 1968.

Reorganization Act of 1949. Extension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205; 5 U.S.C. 133z-3), as last amended by the Act of July 2, 1964 (78 Stat. 240), is hereby further amended by striking out "June 1, 1965" and inserting in lieu thereof "December 31, 1968".

Approved June 18, 1965.

Public Law 89-44

June 21, 1965
[H. R. 8371]

AN ACT

To reduce excise taxes, and for other purposes.

Excise Tax Reduction Act of 1965.

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 "Excise Tax Reduction Act of 1965".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment 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.

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

TITLE I—RETAILERS EXCISE TAXES

SEC. 101. REPEAL OF RETAILERS EXCISE TAXES.

(a) IN GENERAL.—Subchapters A (relating to jewelry and related items), B (relating to furs), C (relating to toilet preparations), and D (relating to luggage, handbags, etc.) of chapter 31 are repealed.

68A Stat. 473;
72 Stat. 1275, 1276.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of subchapters for chapter 31 is amended by striking out the items relating to subchapters A, B, C, and D.

(2) Sections 4051 through 4053 are repealed and the table of sections for subchapter F of chapter 31 is amended by striking out the items relating to sections 4051, 4052, and 4053.

(3) Section 4055 is amended by striking out ", in the case of the tax imposed by section 4041,".

72 Stat. 1277;
73 Stat. 617.

(4) Section 4057(a) is amended by striking out ", in the case of a tax imposed by section 4041,".

72 Stat. 1286.

(5) Section 4224 (relating to exemption for articles taxable as jewelry) is repealed and the table of sections for subchapter G of chapter 32 is amended by striking out the item relating to section 4224.

72 Stat. 1305.

(6) Section 6011(c) (relating to return of retailers excise taxes by suppliers) is repealed.

TITLE II—MANUFACTURERS EXCISE TAXES

SEC. 201. AUTOMOBILES AND AUTOMOBILE PARTS.

68A Stat. 481.

(a) PASSENGER AUTOMOBILES, ETC.—Paragraph (2) of section 4061(a) (relating to imposition of tax) is amended to read as follows:

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

"10 percent for the period ending on the date of the enactment of the Excise Tax Reduction Act of 1965.

"7 percent for the period beginning with the day after the date of the enactment of the Excise Tax Reduction Act of 1965 through December 31, 1965.

"6 percent for the period January 1, 1966, through December 31, 1966.

"4 percent for the period January 1, 1967, through December 31, 1967.

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

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

"(B) The articles to which subparagraph (A) applies are:

"Automobile chassis and bodies other than those taxable under paragraph (1).

"Chassis and bodies for trailers and semitrailers (other than house trailers) suitable for use in connection with passenger automobiles.

A sale of an automobile, or of a trailer or semitrailer suitable for use in connection with a passenger automobile, shall, for the purposes of this paragraph, be considered to be a sale of a chassis and of a body enumerated in this subparagraph."

(b) PARTS AND ACCESSORIES.—

(1) Effective as provided by section 701(a)(1), subsection (b) of section 4061 (relating to imposition of tax on parts and accessories) is amended by striking out "and other than automobile radio and television receiving sets" and by striking out ", except that on and after July 1, 1965, the rate shall be 5 percent". *Post*, p. 155. 68A Stat. 482.

(2) Effective as provided by section 701(a)(2), subsection (b) of section 4061 is amended to read as follows:

"(b) PARTS AND ACCESSORIES.—

"(1) Except as provided in paragraph (2), there is hereby imposed upon parts or accessories (other than tires and inner tubes) for any of the articles enumerated in subsection (a)(1) sold by the manufacturer, producer, or importer a tax equivalent to 8 percent of the price for which so sold, except that on and after October 1, 1972, the rate shall be 5 percent.

"(2) No tax shall be imposed under this subsection upon any part or accessory which is suitable for use (and ordinarily is used) on or in connection with, or as a component part of, any article enumerated in subsection (a)(2) or a house trailer."

(c) TECHNICAL AMENDMENT.—The last sentence of paragraph (1) of section 4061(a) is amended by striking out "the chassis and of the body" and inserting in lieu thereof "a chassis and of a body enumerated in this paragraph".

SEC. 202. LUBRICATING OIL.

(a) IMPOSITION OF TAX.—Section 4091 (relating to imposition of tax) is amended to read as follows: 69 Stat. 676.

"SEC. 4091. IMPOSITION OF TAX.

"There is hereby imposed on lubricating oil (other than cutting oils) which is sold in the United States by the manufacturer or producer a tax of 6 cents a gallon, to be paid by the manufacturer or producer."

(b) PAYMENTS TO ULTIMATE PURCHASERS.—Subchapter B of chapter 65 (relating to rules of special application) is amended by adding at the end thereof the following new section: 68A Stat. 794; 70 Stat. 87, 394; 72 Stat. 9.

"SEC. 6424. LUBRICATING OIL NOT USED IN HIGHWAY MOTOR VEHICLES.

"(a) PAYMENTS.—Except as provided in subsection (g), if lubricating oil (other than cutting oils, as defined in section 4092(b), and other than oil which has previously been used) is used otherwise than in a highway motor vehicle, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such lubricating oil an amount equal to 6 cents for each gallon of lubricating oil so used. 69 Stat. 676.

"(b) TIME FOR FILING CLAIMS; PERIOD COVERED.—

"(1) GENERAL RULE.—Except as provided in paragraph (2), not more than one claim may be filed under subsection (a) by any person with respect to lubricating oil used during his taxable year.

No claim shall be allowed under this paragraph with respect to lubricating oil used during any taxable year unless filed by such person not later than the time prescribed by law for filing an income tax return for such taxable year. For purposes of this subsection, a person's taxable year shall be his taxable year for purposes of subtitle A, except that a person's first taxable year beginning after December 31, 1965, shall include the period after December 31, 1965, and before the beginning of such first taxable year.

"(2) EXCEPTION.—If $1,000 or more is payable under this section to any person with respect to lubricating oil used during any of the first three quarters of his taxable year, a claim may be filed under this section by such person with respect to lubricating oil used during such quarter. No claim filed under this paragraph shall be allowed unless filed on or before the last day of the first quarter following the quarter for which the claim is filed.

"(c) EXEMPT SALES.—No amount shall be payable under this section with respect to any lubricating oil which the Secretary or his delegate determines was exempt from the tax imposed by section 4091. The amount which (but for this sentence) would be payable under this section with respect to any lubricating oil shall be reduced by any other amount which the Secretary or his delegate determines is payable under this section, or is refundable under any provision of this title, to any person with respect to such lubricating oil.

Ante, p. 137.

"(d) APPLICABLE LAWS.—

"(1) IN GENERAL.—All provisions of law, including penalties, applicable in respect of the tax imposed by section 4091 shall, insofar as applicable and not inconsistent with this section, apply in respect of the payments provided for in this section to the same extent as if such payments constituted refunds of overpayments of the tax so imposed.

"(2) EXAMINATION OF BOOKS AND WITNESSES.—For the purpose of ascertaining the correctness of any claim made under this section, or the correctness of any payment made in respect of any such claim, the Secretary or his delegate shall have the authority granted by paragraphs (1), (2), and (3) of section 7602 (relating to examination of books and witnesses) as if the claimant were the person liable for tax.

68A Stat. 901.

"(e) REGULATIONS.—The Secretary or his delegate may by regulations prescribe the conditions, not inconsistent with the provisions of this section, under which payments may be made under this section.

"(f) EFFECTIVE DATE.—This section shall apply only with respect to lubricating oil placed in use after December 31, 1965.

"(g) INCOME TAX CREDIT IN LIEU OF PAYMENT.—

"(1) PERSONS NOT SUBJECT TO INCOME TAX.—Payment shall be made under subsection (a) only to—

"(A) the United States or an agency or instrumentality thereof, a State, a political subdivision of a State, or an agency or instrumentality of one or more States or political subdivisions, or

"(B) an organization exempt from tax under section 501(a) (other than an organization required to make a return of the tax imposed under subtitle A for its taxable year).

"(2) EXCEPTION.—Paragraph (1) shall not apply to a payment of a claim filed under subsection (b)(2).

"(3) ALLOWANCE OF CREDIT AGAINST INCOME TAX.—

"For allowance of credit against the tax imposed by subtitle A for lubricating oil used, see section 39."

"(h) CROSS REFERENCES.—

"(1) For civil penalty for excessive claims under this section, see section 6675.

"(2) For fraud penalties etc., see chapter 75 (section 7201 and following, relating to crimes, other offenses, and forfeitures)."

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1)(A) Subpart B of part III of subchapter A of chapter 32 is amended by adding at the end thereof the following new section: 68A Stat. 483.

"SEC. 4094. CROSS REFERENCE.

"For provisions to relieve purchasers of lubricating oil from excise tax in the case of lubricating oil used otherwise than in a highway motor vehicle, see sections 39 and 6424." *Ante*, p. 137.

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

"Sec. 4094. Cross reference."

(2)(A) Section 6206 is amended— 70 Stat. 90, 396.

(i) by striking out "**6420 AND 6421**" in the heading and inserting in lieu thereof "**6420, 6421, AND 6424**",

(ii) by striking out "6420 or 6421" each place it appears in the text and inserting in lieu thereof "6420, 6421, or 6424", and

(iii) by inserting "(or, in the case of lubricating oil, by section 4091)" after "4081". *Ante*, p. 137.

(B) The table of sections for subchapter A of chapter 63 is amended by striking out "6420 and 6421" and inserting in lieu thereof "6420, 6421, and 6424".

(3)(A) Section 6675 is amended— 70 Stat. 90, 396.

(i) by inserting "**OR LUBRICATING OIL**" after "**GASOLINE**" in the heading;

(ii) by striking out "or" before 6421 in subsection (a) and inserting in lieu thereof a comma, and by inserting ", or 6424 (relating to lubricating oil not used in highway motor vehicles)" in such subsection after "systems)";

(iii) by striking out "or 6421," in subsection (b)(1) and inserting in lieu thereof "6421, or 6424,".

(B) The table of sections for subchapter B of chapter 68 is amended by striking out "certain gasoline" and inserting in lieu thereof "certain gasoline or lubricating oil".

(4) Sections 7210, 7603, and 7604, and the first sentence of section 7605(a), are each amended by inserting "6424(d)(2)," after "6421(f)(2),". The second sentence of section 7605(a) is amended by striking out "or 6421(f)(2)," and inserting in lieu thereof ", 6421(f)(2), or 6424(d)(2),". 68A Stat. 854, 902; 70 Stat. 91, 396.

SEC. 203. HOUSEHOLD APPLIANCES. Repeals.

Subchapter B of chapter 32 (relating to refrigeration equipment; electric, gas, and oil appliances; and electric light bulbs) is repealed and the table of subchapters for chapter 32 is amended by striking out the item relating to subchapter B. 68A Stat. 485. 26 USC 4111-4131.

Repeal.
68A Stat. 487; 72 Stat. 1278.
26 USC 4141-4151.

SEC. 204. ENTERTAINMENT EQUIPMENT.

Subchapter C of chapter 32 (relating to radio and television sets, phonographs and records, etc.; and musical instruments) is repealed and the table of subchapters for chapter 32 is amended by striking out the item relating to subchapter C.

SEC. 205. RECREATIONAL EQUIPMENT.

68A Stat. 489.

(a) SPORTING GOODS.—Section 4161 (relating to sporting goods) is amended to read as follows:

"SEC. 4161. IMPOSITION OF TAX.

"There is hereby imposed upon the sale of fishing rods, creels, reels, and artificial lures, baits, and flies (including parts or accessories of such articles sold on or in connection therewith, or with the sale thereof) by the manufacturer, producer, or importer a tax equivalent to 10 percent of the price for which so sold."

Repeal.
26 USC 4171-4173.

(b) PHOTOGRAPHIC EQUIPMENT.—Part II of subchapter D of chapter 32 (relating to photographic equipment) is repealed and the table of parts for such subchapter is amended by striking out the item relating to part II.

SEC. 206. BUSINESS MACHINES AND OTHER ITEMS.

26 USC 4191-4211.

Subchapter E of chapter 32 (relating to business machines; pens and mechanical pencils and lighters; and matches) is repealed and the table of subchapters for chapter 32 is amended by striking out the item relating to subchapter E.

SEC. 207. PARTIAL PAYMENTS; SALES OF INSTALLMENT ACCOUNTS.

(a) PARTIAL PAYMENTS.—Section 4216(c) (relating to definition of price; partial payments) is amended by striking out "that portion of the total tax which is proportionate to the portion of the total amount to be paid represented by such payment." in the material following paragraph (4) and inserting in lieu thereof "a percentage of such payment equal to the rate of tax in effect on the date such payment is due."

72 Stat. 1280.

(b) SALES OF INSTALLMENT ACCOUNTS.—Section 4216(e) (relating to definition of price; sales of installment accounts) is amended—

(1) by striking out "total tax;" in paragraph (1) and inserting in lieu thereof "total tax which would be payable if such installment accounts had not been sold or otherwise disposed of (computed as provided in subsection (c));"; and

(2) by amending paragraph (2) to read as follows:

"(2) if any such sale is pursuant to the order of, or subject to the approval of, a court of competent jurisdiction in a bankruptcy or insolvency proceeding, the amount computed under paragraph (1) shall not exceed the sum of the amounts computed by multiplying (A) the proportionate share of the amount for which such accounts are sold which is allocable to each unpaid installment payment by (B) the rate of tax under this chapter in effect on the date such unpaid installment payment is or was due."

72 Stat. 1310.

(c) CONFORMING AMENDMENT.—Section 6416(b)(5) (relating to return of certain installment accounts) is amended by striking out "proportionate" and inserting in lieu thereof "allocable".

SEC. 208. TECHNICAL AND CONFORMING CHANGES.

72 Stat. 1279.

(a) Section 4216(b)(2) (relating to constructive sale price; special rule) is amended—

(1) by striking out the material immediately preceding subparagraph (A) and inserting in lieu thereof the following:

"(2) SPECIAL RULE.—If an article is sold at retail or to a retailer, and if—";

(2) by striking out in subparagraph (A) ", to retailers, or to special dealers" and inserting in lieu thereof: "or to retailers";

(3) by striking out "(other than special dealers)" each place it appears; and

(4) by striking out in subparagraph (C) "4191 (relating to business machines), or 4211 (relating to matches),".

(b) Paragraph (3) (relating to special dealer) of section 4216(b) is repealed. Repeal. 72 Stat. 1279.

(c) Section 4218 (relating to use by manufacturer or importer considered a sale) is amended— 72 Stat. 1281.

(1) by striking out the heading to subsection (b) and inserting in lieu thereof the following:

"(b) TIRES AND TUBES.—".

(2) by striking out in subsection (b) "or an automobile radio or television receiving set taxable under section 4141,";

(3) by striking out the heading to subsection (c) and inserting in lieu thereof the following:

"(c) AUTOMOTIVE PARTS AND ACCESSORIES.—"

(4) by striking out in subsection (c) "a radio or television component taxable under section 4141, or a camera lens taxable under section 4171,".

(d) Section 4221 (relating to certain tax-free sales) is amended— 72 Stat. 1282.

(1) by striking out in subsection (d)(6)(B) "a radio or television component taxable under section 4141, or a camera lens taxable under section 4171,";

(2) by striking out the heading to paragraph (2) of subsection (e) and inserting in lieu thereof the following:

"(2) TIRES AND TUBES.—";

(3) by striking out "or 4141" in subparagraphs (A) and (C) of subsection (e)(2);

(4) by striking out "tire, inner tube, or automobile radio or television receiving set" in subparagraphs (A) and (C) of subsection (e)(2) and inserting in lieu thereof "tire or inner tube";

(5) by striking out "tire, tube, or receiving set" each place it appears in subparagraphs (A)(i) and (B) of subsection (e)(2) and inserting in lieu thereof "tire or tube";

(6) by striking out paragraph (3) of subsection (e); and

(7) by striking out subsection (f).

(e) Section 4222 (relating to registration) is amended by striking out paragraph (4) of subsection (b).

(f) Section 4227(2) is amended by striking out "and automobile radio and television receiving sets,". 68A Stat. 496; 70 Stat. 391.

SEC. 209. REFUNDS WITH RESPECT TO FLOOR STOCKS AND CERTAIN CONSUMER PURCHASES.

(a) PASSENGER AUTOMOBILES, ETC.—Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles, etc.) is amended to read as follows: 70 Stat. 392.

"(1) PASSENGER AUTOMOBILES, ETC.—Where before the day after the date of the enactment of the Excise Tax Reduction Act of 1965, or before January 1, 1966, 1967, 1968, or 1969, any article subject to the tax imposed by section 4061(a)(2) has been sold by the manufacturer, producer, or importer and on such day or such date is held by a dealer and has not been used and is intended for sale, there shall be credited or refunded (without interest) to the manufacturer, producer, or importer an amount equal to *Ante*, p. 136.

the difference between the tax paid by the manufacturer, producer, or importer on his sale of the article and the amount of tax made applicable to the article on such day or such date, if—

"(A) claim for such credit or refund is filed with the Secretary or his delegate on or before the 10th day of the 8th calendar month beginning after such day or such date based upon a request submitted to the manufacturer, producer, or importer before the first day of the 7th calendar month beginning after such day or such date by the dealer who held the article in respect of which the credit or refund is claimed; and

"(B) on or before such 10th day reimbursement has been made to the dealer by the manufacturer, producer, or importer for the tax reduction on the article or written consent has been obtained from the dealer to allowance of the credit or refund."

(b) FLOOR STOCK REFUNDS; OTHER MANUFACTURERS EXCISE TAXES AND TAX ON PLAYING CARDS.—

(1) IN GENERAL.—Where before the day after the date of the enactment of this Act, any article subject to the tax imposed by section 4111, 4121, 4141, 4151, 4161, 4171, 4191, or 4451 of the Internal Revenue Code of 1954 (hereinafter in this Act referred to as the "Code"), or where before January 1, 1966, any article subject to the tax imposed by section 4061(b), 4091(1), or 4131 of the Code, has been sold by the manufacturer, producer, or importer, and on such day or such date is held by a dealer and has not been used and is intended for sale, there shall be credited or refunded (without interest) to the manufacturer, producer, or importer an amount equal to the difference between the tax paid by the manufacturer, producer, or importer on his sale of the article and the amount of tax made applicable to the article on such day or such date, if—

Ante, pp. 139, 140; *Post*, p. 148.

Ante, pp. 137, 139.

(A) claim for such credit or refund is filed with the Secretary of the Treasury or his delegate on or before February 10, 1966 (or August 10, 1966, in the case of an article subject to the tax imposed by section 4061(b), 4091(1), or 4131 of the Code), based upon a request submitted to the manufacturer, producer, or importer before January 1, 1966 (or July 1, 1966, in the case of an article subject to the tax imposed by section 4061(b), 4091(1), or 4131 of the Code), by the dealer who held the article in respect of which the credit or refund is claimed; and

(B) on or before such February 10 (or such August 10 in the case of an article subject to the tax imposed by section 4061(b), 4091(1), or 4131 of the Code) reimbursement has been made to the dealer by the manufacturer, producer, or importer for the tax reduction on the article or written consent has been obtained from the dealer to allowance of the credit or refund.

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

(A) The term "dealer" includes a wholesaler, jobber, distributor, or retailer.

(B) An article shall be considered as "held by a dealer" if title thereto has passed to the dealer (whether or not delivery to him has been made), and if for purposes of con-

sumption title to the article or possession thereof has not at any time been transferred to any person other than a dealer. For purposes of paragraph (1) and notwithstanding the preceding sentence, an article shall be considered as "held by a dealer" and not to have been used, although possession of such article has been transferred to another person, if such article is returned to the dealer in a transaction under which any amount paid or deposited by the transferee for such article is refunded to him (other than amounts retained by the dealer to cover damage to the article). Moreover, such an article shall be considered as held by a dealer on the day after the date of the enactment of this Act even though it is in the possession of the transferee on such day, if it is returned to the dealer (in a transaction described in the preceding sentence) before August 1, 1965.

(C) In the case of an article subject to the tax imposed by section 4451 (relating to playing cards)—

(i) an article shall be treated as having been sold by the manufacturer before the day after the date of the enactment of this Act if it has been removed for consumption or sale before such day, and

(ii) if an article has been removed for consumption or sale, but has not been sold, by the manufacturer before such day, the manufacturer shall be treated as the dealer.

(3) LIMITATION ON ELIGIBILITY FOR CREDIT OR REFUND.—No manufacturer, producer, or importer shall be entitled to credit or refund under paragraph (1) unless he has in his possession such evidence of the inventories with respect to which the credit or refund is claimed as may be required by regulations prescribed by the Secretary of the Treasury or his delegate under this subsection.

(4) OTHER LAWS APPLICABLE.—All provisions of law, including penalties, applicable in respect of the taxes imposed by sections 4061(b), 4091(1), 4111, 4121, 4131, 4141, 4151, 4161, 4171, 4191, and 4451 of the Code shall, insofar as applicable and not inconsistent with paragraphs (1), (2), and (3) of this subsection, apply in respect of the credits and refunds provided for in paragraph (1) to the same extent as if the credits or refunds constituted overpayments of the taxes.

Ante, pp. 137, 139, 140; *Post*, p. 148.

(c) REFUNDS WITH RESPECT TO CERTAIN CONSUMER PURCHASES.—

(1) IN GENERAL.—Where after May 14, 1965, and before the day after the date of the enactment of this Act, a new automotive item subject to the tax imposed by section 4061(a)(2) of the Code, or a new self-contained air-conditioning unit subject to the tax imposed by section 4111 of the Code, has been sold to an ultimate purchaser, there shall be credited or refunded (without interest) to the manufacturer, producer, or importer of such article an amount equal to the difference between the tax paid by such manufacturer, producer, or importer on his sale of the article, and the tax made applicable to the article on such day, if—

Ante, p. 136.

(A) claim for such credit or refund is filed with the Secretary of the Treasury or his delegate on or before February 10, 1966, based upon information submitted to the manufacturer, producer, or importer before January 1, 1966, by the person who sold the article (in respect to which the credit or refund is claimed) to the ultimate purchaser; and

(B) on or before February 10, 1966, reimbursement has been made to the ultimate purchaser for the tax reduction on the article.

(2) LIMITATION ON ELIGIBILITY FOR CREDIT OR REFUND.—No manufacturer, producer, or importer shall be entitled to a credit or refund under paragraph (1) with respect to an article unless he has in his possession such evidence of the sale of the article to an ultimate purchaser, and of the reimbursement of the tax to such purchaser, as may be required by regulations prescribed by the Secretary of the Treasury or his delegate under this subsection.

(3) OTHER LAWS APPLICABLE.—All provisions of law, including penalties, applicable in respect to the taxes imposed by sections 4061(a)(2) and 4111 of the Code shall, insofar as applicable and not inconsistent with paragraphs (1) and (2) of this subsection, apply in respect of the credits and refunds provided for in paragraph (1) to the same extent as if the credits or refunds constituted overpayments of the tax.

Ante, pp. 136, 139.

(d) Section 6412(e) (relating to cross reference) is repealed.

Repeal. 68A Stat. 797.

SEC. 210. HIGHWAY TRUST FUND.

(a) Section 209(c)(1) of the Highway Revenue Act of 1956 (relating to general provisions for transfers to the Highway Trust Fund) is amended—

70 Stat. 398. 23 USC 120 note.

(1) by striking out "and" at the end of subparagraph (F);

(2) by striking out the period at the end of subparagraph (G) and inserting in lieu thereof "; and";

(3) by inserting after subparagraph (G) the following new subparagraph:

"(H) 100 percent of the taxes received after December 31, 1965, under sections 4061(b) (tax on parts and accessories for trucks, buses, etc.) and 4091 (tax on lubricating oil).";

Ante, p. 137.

and

(4) by adding at the end thereof the following new sentence: "In the case of any tax described in subparagraph (H), amounts received during the calendar year 1966 shall be taken into account only to the extent attributable to liability for tax incurred after December 31, 1965."

(b) Subparagraph (A) of section 209(c)(3) of the Highway Revenue Act of 1956 (relating to transfers to the Highway Trust Fund for liabilities incurred before October 1, 1972) is amended to read as follows:

68A Stat. 478.

"(A) 100 percent of the taxes under sections 4041 (taxes on diesel fuel and special motor fuels), 4061(b) (tax on parts and accessories for trucks, buses, etc.), 4071(a)(4) (tax on tread rubber), 4081 (tax on gasoline), and 4091 (tax on lubricating oil);".

70 Stat. 388, 389.

(c) Section 209(f)(3) of the Highway Revenue Act of 1956 (relating to transfers from trust fund for gasoline used on farms and for certain other purposes) is amended as follows:

(1) by striking out the heading and inserting in lieu thereof the following:

"(3) TRANSFERS FROM TRUST FUND FOR GASOLINE AND LUBRICATING OIL USED FOR CERTAIN PURPOSES.—";

(2) by striking out "and 6421" and inserting ", 6421"; and

(3) by inserting after "transit systems)" the following: ", and 6424 (relating to amounts paid in respect of lubricating oil not used in highway motor vehicles)". *Ante*, p. 137.

TITLE III—TAXES ON FACILITIES AND SERVICES

SEC. 301. REPEAL OF ADMISSIONS AND CLUB DUES TAXES.

Subchapter A (relating to admissions and club dues) of chapter 33 is repealed and the table of subchapters for chapter 33 is amended by striking out the item relating to subchapter A. 68A Stat. 497. 26 USC 4231-4243.

SEC. 302. COMMUNICATIONS TAX.

Subchapter B of chapter 33 (relating to communications taxes) is amended to read as follows: 72 Stat. 1289.

"Subchapter B—Communications

"Sec. 4251. Imposition of tax.
"Sec. 4252. Definitions.
"Sec. 4253. Exemptions.
"Sec. 4254. Computation of tax.

"SEC. 4251. IMPOSITION OF TAX.

"(a) IN GENERAL.—

"(1) Except as provided in subsection (b), there is hereby imposed on amounts paid for the following communication services a tax equal to the percent of the amount so paid specified in paragraph (2):

"Local telephone service.
"Toll telephone service.
"Teletypewriter exchange service.

"The taxes imposed by this section shall be paid by the person paying for the services.

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

"Amounts paid pursuant to bills first rendered—	Percent—
"During 1966	3
"During 1967	2
"During 1968	1

"(b) TERMINATION OF TAX.—The tax imposed by subsection (a) shall not apply to amounts paid pursuant to bills first rendered on or after January 1, 1969.

"(c) SPECIAL RULE.—For purposes of subsections (a) and (b), in the case of communication services rendered before November 1 of any calendar year for which a bill has not been rendered before the close of such year, a bill shall be treated as having been first rendered during such year.

"SEC. 4252. DEFINITIONS.

"(a) LOCAL TELEPHONE SERVICE.—For purposes of this subchapter, the term 'local telephone service' means—

"(1) the access to a local telephone system, and the privilege of telephonic quality communication with substantially all persons having telephone or radio telephone stations constituting a part of such local telephone system, and

"(2) any facility or service provided in connection with a service described in paragraph (1).

The term 'local telephone service' does not include any service which is a 'toll telephone service' or a 'private communication service' as defined in subsections (b) and (d).

"(b) TOLL TELEPHONE SERVICE.—For purposes of this subchapter, the term 'toll telephone service' means—

"(1) a telephonic quality communication for which (A) there is a toll charge which varies in amount with the distance and elapsed transmission time of each individual communication and (B) the charge is paid within the United States, and

"(2) a service which entitles the subscriber, upon payment of a periodic charge (determined as a flat amount or upon the basis of total elapsed transmission time), to the privilege of an unlimited number of telephonic communications to or from all or a substantial portion of the persons having telephone or radio telephone stations in a specified area which is outside the local telephone system area in which the station provided with this service is located.

"(c) TELETYPEWRITER EXCHANGE SERVICE.—For purposes of this subchapter, the term 'teletypewriter exchange service' means the access from a teletypewriter or other data station to the teletypewriter exchange system of which such station is a part, and the privilege of intercommunication by such station with substantially all persons having teletypewriter or other data stations constituting a part of the same teletypewriter exchange system, to which the subscriber is entitled upon payment of a charge or charges (whether such charge or charges are determined as a flat periodic amount, on the basis of distance and elapsed transmission time, or in some other manner). The term 'teletypewriter exchange service' does not include any service which is 'local telephone service' as defined in subsection (a).

"(d) PRIVATE COMMUNICATION SERVICE.—For purposes of this subchapter, the term 'private communication service' means—

"(1) the communication service furnished to a subscriber which entitles the subscriber—

"(A) to exclusive or priority use of any communication channel or groups of channels, or

"(B) to the use of an intercommunication system for the subscriber's stations,

regardless of whether such channel, groups of channels, or intercommunication system may be connected through switching with a service described in subsection (a), (b), or (c),

"(2) switching capacity, extension lines and stations, or other associated services which are provided in connection with, and are necessary or unique to the use of, channels or systems described in paragraph (1), and

"(3) the channel mileage which connects a telephone station located outside a local telephone system area with a central office in such local telephone system,

except that such term does not include any communication service unless a separate charge is made for such service.

"SEC. 4253. EXEMPTIONS.

"(a) CERTAIN COIN-OPERATED SERVICE.—Service paid for by inserting coins in coin-operated telephones available to the public shall not be subject to the tax imposed by section 4251 with respect to local telephone service, or with respect to toll telephone service if the charge for such toll telephone service is less than 25 cents; except that where such coin-operated telephone service is furnished for a guaranteed

amount, the amounts paid under such guarantee plus any fixed monthly or other periodic charge shall be subject to the tax.

"(b) NEWS SERVICES.—No tax shall be imposed under section 4251, except with respect to local telephone service, on any payment received from any person for services used in the collection of news for the public press, or a news ticker service furnishing a general news service similar to that of the public press, or radio broadcasting, or in the dissemination of news through the public press, or a news ticker service furnishing a general news service similar to that of the public press, or by means of radio broadcasting, if the charge for such service is billed in writing to such person.

"(c) INTERNATIONAL, ETC., ORGANIZATIONS.—No tax shall be imposed under section 4251 on any payment received for services furnished to an international organization, or to the American National Red Cross.

"(d) SERVICEMEN IN COMBAT ZONE.—No tax shall be imposed under section 4251 on any payment received for any toll telephone service which originates within a combat zone, as defined in section 112, from a member of the Armed Forces of the United States performing service in such combat zone, as determined under such section, provided a certificate, setting forth such facts as the Secretary or his delegate may by regulations prescribe, is furnished to the person receiving such payment. 68A Stat. 34.

"(e) ITEMS OTHERWISE TAXED.—Only one payment of tax under section 4251 shall be required with respect to the tax on any service, notwithstanding the lines or stations of one or more persons are used in furnishing such service.

"(f) COMMON CARRIERS AND COMMUNICATIONS COMPANIES.—No tax shall be imposed under section 4251 on the amount paid for any toll telephone service described in section 4252(b)(2) to the extent that the amount so paid is for use by a common carrier, telephone or telegraph company, or radio broadcasting station or network in the conduct of its business as such.

"(g) INSTALLATION CHARGES.—No tax shall be imposed under section 4251 on so much of any amount paid for the installation of any instrument, wire, pole, switchboard, apparatus, or equipment as is properly attributable to such installation.

"SEC. 4254. COMPUTATION OF TAX.

"(a) GENERAL RULE.—If a bill is rendered the taxpayer for local telephone service or toll telephone service—

"(1) the amount on which the tax with respect to such services shall be based shall be the sum of all charges for such services included in the bill; except that

"(2) if the person who renders the bill groups individual items for purposes of rendering the bill and computing the tax, then (A) the amount on which the tax with respect to each such group shall be based shall be the sum of all items within that group, and (B) the tax on the remaining items not included in any such group shall be based on the charge for each item separately.

"(b) WHERE PAYMENT IS MADE FOR TOLL TELEPHONE SERVICE IN COIN-OPERATED TELEPHONES.—If the tax imposed by section 4251 with respect to toll telephone service is paid by inserting coins in coin-

operated telephones, tax shall be computed to the nearest multiple of 5 cents, except that, where the tax is midway between multiples of 5 cents, the next higher multiple shall apply."

SEC. 303. TAX ON TRANSPORTATION OF PERSONS BY AIR.

76 Stat. 115; 78 Stat. 237.

(a) IN GENERAL.—Section 4261 (relating to imposition of tax on transportation of persons by air) is amended by striking out "November 15, 1962, and before July 1, 1965" wherever it appears and inserting in lieu thereof "November 15, 1962".

26 USC 4261 note.

(b) CONFORMING AMENDMENT.—Section 5 of the Tax Rate Extension Act of 1962 (76 Stat. 115) is amended by striking out subsection (e).

SEC. 304. SAFE DEPOSIT BOXES.

Repeal. 68A Stat. 510. 26 USC 4286, 4287.

Subchapter D of chapter 33 (relating to safe deposit boxes) is hereby repealed and the table of subchapters for chapter 33 is amended by striking out the item relating to subchapter D.

SEC. 305. CONFORMING CHANGES.

(a) Section 4291 (relating to cases where persons receiving payment must collect tax) is amended to read as follows:

"SEC. 4291. CASES WHERE PERSONS RECEIVING PAYMENT MUST COLLECT TAX.

76 Stat. 117.

"Except as otherwise provided in section 4264(a), every person receiving any payment for facilities or services on which a tax is imposed upon the payor thereof under this chapter shall collect the amount of the tax from the person making such payment."

68A Stat. 744; 78 Stat. 73.

(b) Section 6040 (relating to cross references) is amended by striking out paragraph (6).

TITLE IV—MISCELLANEOUS TAXES

Repeals.

SEC. 401. DOCUMENTARY STAMP TAXES.

72 Stat. 1293. 26 USC 4301-4354.

(a) IN GENERAL.—Subchapters A (relating to issuance of capital stock, etc.) and B (relating to sales or transfers of capital stock, etc.) of chapter 34 are repealed and the table of subchapters for chapter 34 is amended by striking out the items relating to such subchapters.

(b) CONVEYANCES.—Section 4361 (relating to tax on conveyances) is amended by adding at the end thereof the following new sentence: "The tax imposed by this section shall not apply on or after January 1, 1968."

(c) TECHNICAL AND CONFORMING CHANGES.—Section 4381 (relating to definitions) is repealed and the table of sections for subchapter E of chapter 34 is amended by striking out the item relating to such section.

SEC. 402. PLAYING CARDS.

68A Stat. 529. 26 USC 4451-4457.

Subchapter A of chapter 36 (relating to playing cards) is repealed and the table of subchapters for chapter 36 is amended by striking out the item relating to subchapter A.

SEC. 403. OCCUPATIONAL TAX ON COIN-OPERATED DEVICES.

68A Stat. 531; 73 Stat. 620.

(a) IN GENERAL.—Section 4461 (relating to imposition of tax) is amended by striking out subsection (a) and so much of subsection (b) as precedes paragraph (1) and inserting in lieu thereof the following:

"(a) IN GENERAL.—There shall be imposed a special tax to be paid by every person who maintains for use or permits the use of, on any

place or premises occupied by him, a coin-operated gaming device (as defined in section 4462) at the following rates:

"(1) $250 a year; and

"(2) $250 a year for each additional device so maintained or the use of which is so permitted. If one such device is replaced by another, such other device shall not be considered an additional device.

"(b) EXCEPTION.—No tax shall be imposed on a device which is commonly known as a claw, crane, or digger machine if—"

(b) DEFINITION.—Section 4462 (relating to definition of coin-operated amusement or gaming device) is amended to read as follows: 72 Stat. 1304.

"SEC. 4462. DEFINITION OF COIN-OPERATED GAMING DEVICE.

"(a) IN GENERAL.—For purposes of this subchapter, the term 'coin-operated gaming device' means any machine which is—

"(1) a so-called 'slot' machine which operates by means of the insertion of a coin, token, or similar object and which, by application of the element of chance, may deliver, or entitle the person playing or operating the machine to receive, cash, premiums, merchandise, or tokens, or

"(2) a machine which is similar to machines described in paragraph (1) and is operated without the insertion of a coin, token, or similar object.

"(b) EXCLUSIONS.—The term 'coin-operated gaming device' does not include—

"(1) a bona fide vending or amusement machine in which gaming features are not incorporated; or

"(2) a vending machine operated by means of the insertion of a one cent coin, which, when it dispenses a prize, never dispenses a prize of a retail value of, or entitles a person to receive a prize of a retail value of, more than 5 cents, and if the only prize dispensed is merchandise and not cash or tokens."

(c) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 36 is amended by striking out:

"Sec. 4462. Definition of coin-operated amusement or gaming device."

and inserting in lieu thereof:

"Sec. 4462. Definition of coin-operated gaming device."

SEC. 404. OCCUPATIONAL TAX ON BOWLING ALLEYS, BILLIARD AND POOL TABLES.

Subchapter C of chapter 36 (relating to occupational tax on bowling alleys, billiard and pool tables) is repealed and the table of subchapters for chapter 36 is amended by striking out the item relating to subchapter C. 68A Stat. 532. 26 USC 4471-4474.

SEC. 405. TECHNICAL AND CONFORMING CHANGES.

(a) Section 4402(2) (relating to exemption from tax on wagers) is amended by striking out "section 4462(a)(2)(B)," and inserting in lieu thereof "section 4462(a)(2),". 72 Stat. 1305.

(b) Section 4901(a) (relating to payment of tax as condition precedent to carrying on certain business) is amended by striking out "4461(2)" and inserting in lieu thereof "4461(a)(1)". 68A Stat. 593.

(c) Section 4905(b)(1) (relating to registration) is amended by striking out "playing cards," and by striking out "4455,".

(d) Paragraph (2) of section 4914(a) (relating to transactions not considered acquisitions) is amended by inserting before the semicolon at the end thereof "as in effect on January 1, 1965". 78 Stat. 813.

TITLE V—ALCOHOL AND TOBACCO TAXES

SEC. 501. PRESENT TAX RATES MADE PERMANENT.

72 Stat. 1314; 78 Stat. 237.

(a) Section 5001(a) (relating to imposition, rate, and attachment of tax on distilled spirits) is amended by striking out the last sentence of paragraph (1) and the last sentence of paragraph (3).

(b) Section 5022 (relating to tax on cordials and liqueurs containing wine) is amended by striking out at the end of the first sentence "until July 1, 1965, and on or after July 1, 1965, at the rate of $1.60 per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon".

(c) Section 5041(b) (relating to rates of tax on wine) is amended—

(1) by striking out in paragraph (1) ", except that on and after July 1, 1965, the rate shall be 15 cents per wine gallon";

(2) by striking out in paragraph (2) ", except that on and after July 1, 1965, the rate shall be 60 cents a wine gallon";

(3) by striking out in paragraph (3) ", except that on and after July 1, 1965, the rate shall be $2.00 per wine gallon";

(4) by striking out in paragraph (4) ", except that on and after July 1, 1965, the rate shall be $3.00 per wine gallon"; and

(5) by striking out in paragraph (5) ", except that on and after July 1, 1965, the rate shall be $2.00 per wine gallon".

(d) Section 5051(a) (relating to imposition and rate of tax on beer) is amended by striking out the second sentence.

Repeal.

(e) Section 5063 (relating to floor stocks refunds on distilled spirits, wines, cordials, and beer) is hereby repealed and the table of sections for subpart E of part I of subchapter A of chapter 51 is amended by striking out the item relating to section 5063.

(f) Paragraph (1) of section 5701(c) (relating to rate of tax on cigarettes) is amended by striking out "until July 1, 1965, and $3.50 per thousand on and after July 1, 1965".

Repeal.

(g) Section 5707 (relating to floor stocks refund on cigarettes) is hereby repealed and the table of sections for subchapter A of chapter 52 is amended by striking out the item relating to section 5707.

65 Stat. 540; 78 Stat. 237. 26 USC 5701 note.

(h) Section 497 of the Revenue Act of 1951 (relating to refunds on articles from foreign trade zones) is hereby repealed.

SEC. 502. REPEAL OF TAX ON TOBACCO OTHER THAN CIGARS AND CIGARETTES.

72 Stat. 1414.

(a) REPEAL.—Section 5701 (relating to rates of taxes on tobacco, cigars, cigarettes, etc.) is amended by striking out subsection (a) (relating to tobacco) and redesignating subsections (b), (c), (d), (e), and (f) as subsections (a), (b), (c), (d), and (e), respectively.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) The heading of chapter 52 is amended by striking out "TOBACCO,".

(2) The table of subchapters for chapter 52 is amended—

(A) by striking out in the item relating to subchapter B "export warehouse proprietors, and dealers in tobacco materials" and inserting in lieu thereof "and export warehouse proprietors";

(B) by striking out the item relating to subchapter D and redesignating the items relating to subchapters E, F, and G as relating to subchapters D, E, and F, respectively; and

(C) by striking out in the item relating to subchapter D

(as redesignated by subparagraph (B)) "export warehouse proprietors, and dealers in tobacco materials" and inserting in lieu thereof "and export warehouse proprietors".

(3) Section 5702 (relating to definitions applicable to the taxes on tobacco, cigars, cigarettes, etc.) is amended— 72 Stat. 1415; *Post*, p. 164.

(A) by striking out subsections (a), (l), and (m) and redesignating subsections (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (n), and (o) as subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l), respectively;

(B) by striking out "manufactured tobacco, cigars, and" in subsection (c) (as redesignated) and inserting in lieu thereof "cigars and"; and

(C) by striking out subsection (d) (as redesignated) and inserting in lieu thereof the following:

"(d) MANUFACTURER OF TOBACCO PRODUCTS.—'Manufacturer of tobacco products' means any person who manufactures cigars or cigarettes, except that such term shall not include—

"(1) a person who produces cigars or cigarettes solely for his own personal consumption or use; or

"(2) a proprietor of a customs bonded manufacturing warehouse with respect to the operation of such warehouse."

(4) Section 5704 (relating to exemption from tax) is amended— 72 Stat. 1418.

(A) by striking out subsection (c) and redesignating subsections (d) and (e) as (c) and (d), respectively; and

(B) by striking out subsection (c) (as redesignated) and inserting in lieu thereof the following:

"(c) TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES RELEASED IN BOND FROM CUSTOMS CUSTODY.—Tobacco products and cigarette papers and tubes, imported or brought into the United States, may be released from customs custody, without payment of tax, for delivery to a manufacturer of tobacco products or cigarette papers and tubes, in accordance with such regulations and under such bond as the Secretary or his delegate shall prescribe."

(5) The heading of subchapter B of chapter 52 is amended by striking out "**Export Warehouse Proprietors, and Dealers in Tobacco Materials**" and inserting in lieu thereof "**and Export Warehouse Proprietors**".

(6) Section 5711(a) (relating to requirement for bond) is amended by striking out "as an export warehouse proprietor, or as a dealer in tobacco materials," and inserting in lieu thereof "or as an export warehouse proprietor,".

(7) Chapter 52 (relating to cigars, cigarettes, and cigarette papers and tubes) is amended by striking out subchapter D and redesignating subchapters E, F, and G as subchapters D, E, and F, respectively.

(8) The heading of subchapter D (as redesignated) is amended by striking out "**Export Warehouse Proprietors, and Dealers in Tobacco Materials**" and inserting in lieu thereof "**and Export Warehouse Proprietors**".

(9) Section 5741 (relating to records) is amended by striking out "every export warehouse proprietor, and every dealer in tobacco materials" and inserting in lieu thereof "and every export warehouse proprietor,".

(10) The table of sections for subchapter E (as redesignated) is amended by striking out in the item relating to section 5753 "cigarette papers and tubes, and tobacco materials" and inserting in lieu thereof "and cigarette papers and tubes".

72 Stat. 1425.

(11) Section 5753 (relating to disposal of forfeited, condemned, and abandoned tobacco products, cigarette papers and tubes, and tobacco materials) is amended to read as follows:

"SEC. 5753. DISPOSAL OF FORFEITED, CONDEMNED, AND ABANDONED TOBACCO PRODUCTS, AND CIGARETTE PAPERS AND TUBES.

"If it appears that any forfeited, condemned, or abandoned tobacco products, or cigarette papers and tubes, when offered for sale, will not bring a price equal to the tax due and payable thereon, and the expenses incident to the sale thereof, such articles shall not be sold for consumption in the United States but shall be disposed of in accordance with such regulations as the Secretary or his delegate shall prescribe."

(12) Section 5762 (relating to criminal penalties) is amended—

(A) by striking out "as an export warehouse proprietor, or as a dealer in tobacco materials" in subsection (a)(1) and inserting in lieu thereof "or as an export warehouse proprietor,"; and

(B) by striking out subsection (a)(2) and inserting in lieu thereof the following:

"(2) FAILING TO FURNISH INFORMATION OR FURNISHING FALSE INFORMATION.—Fails to keep or make any record, return, report, or inventory, or keeps or makes any false or fraudulent record, return, report, or inventory, required by this chapter or regulations thereunder; or".

(13) Section 5763 (relating to forfeitures) is amended—

(A) by striking out subsection (b) and inserting in lieu thereof the following:

"(b) PERSONAL PROPERTY OF QUALIFIED MANUFACTURERS, AND EXPORT WAREHOUSE PROPRIETORS, ACTING WITH INTENT TO DEFRAUD.—All tobacco products and cigarette papers and tubes, packages, internal revenue stamps, machinery, fixtures, equipment, and all other materials and personal property on the premises of any qualified manufacturer of tobacco products or cigarette papers and tubes, or export warehouse proprietor, who, with intent to defraud the United States, fails to keep or make any record, return, report, or inventory, or keeps or makes any false or fraudulent record, return, report, or inventory, required by this chapter; or refuses to pay any tax imposed by this chapter, or attempts in any manner to evade or defeat the tax or the payment thereof; or removes, contrary to any provision of this chapter, any article subject to tax under this chapter, shall be forfeited to the United States." and

(B) by striking out subsection (c) and inserting in lieu thereof the following:

"(c) REAL AND PERSONAL PROPERTY OF ILLICIT OPERATORS.—All tobacco products, cigarette papers and tubes, machinery, fixtures, equipment, and other materials and personal property on the premises of any person engaged in business as a manufacturer of tobacco products or cigarette papers and tubes, or export warehouse proprietor,

without filing the bond or obtaining the permit, as required by this chapter, together with all his right, title, and interest in the building in which such business is conducted, and the lot or tract of ground on which the building is located, shall be forfeited to the United States."

TITLE VI—ADMINISTRATIVE PROVISIONS

SEC. 601. TECHNICAL AND CONFORMING CHANGES.

(a) Section 6103(a) (relating to public record and inspection of returns) is amended by striking out "B, C, and D" in paragraph (2) and inserting in lieu thereof "B and C". 68A Stat. 753.

(b) Section 6415 (relating to credits or refunds to persons who collected certain taxes) is amended—

(1) by striking out "section 4231(1), 4231(2), 4231(3), 4241, 4251, 4261, or 4286" each place it appears and inserting in lieu thereof "section 4251 or 4261"; and

(2) by striking out the last sentence of subsection (a).

(c) Section 6416 (relating to credits and refunds of certain taxes on sales and services) is amended— 72 Stat. 1306. 26 USC 6416.

(1) by striking out in the material in subsection (a)(1) which precedes subparagraph (A) "section 4231 (4), (5), or (6) (cabarets, etc.),";

(2) by striking out ", admission, or service" each place it appears in subsection (a)(1)(A);

(3) by amending subparagraph (B) of subsection (a)(1) to read as follows:

"(B) has repaid the amount of the tax to the ultimate purchaser of the article;";

(4) by striking out "or (D)" in subsection (a)(1)(C);

(5) by striking out "(i), (ii), or (iii), as the case may be," in subsection (a)(1)(D);

(6) by striking out subparagraphs (A) and (B) of subsection (a)(3), by striking out "(ii)" in subparagraph (C) of such subsection, and by striking out "or (D)" in subparagraph (D) of such subsection;

(7) by striking out "31 or" and "(in the case of a tax imposed by chapter 32)" in subsection (b)(1);

(8) by amending subparagraph (F) of subsection (b)(2) to read as follows:

"(F) in the case of a tire or inner tube, resold for use as provided in subparagraph (C) of paragraph (3) and the other article referred to in such subparagraph is by any person exported or sold as provided in such subparagraph;";

(9) by striking out subparagraphs (N), (O), (P), and (Q) of subsection (b)(2);

(10) by striking out "(D)," in subparagraph (A) of subsection (b)(3), by striking out subparagraph (D) of such subsection, and by amending subparagraphs (B) and (C) of such subsection to read as follows:

"(B) in the case of a part or accessory taxable under section 4061(b), such article is used by the second manufacturer or producer as material in the manufacture or production of, or as a component part of, any other article manufactured or produced by him; *Ante*, p. 137.

70 Stat. 388.

"(C) in the case of a tire or inner tube taxable under section 4071, such article is sold by the second manufacturer or producer on or in connection with, or with the sale of, any other article manufactured or produced by him and such other article is by any person exported, sold to a State or local government for the exclusive use of a State or local government, sold to a nonprofit educational organization for its exclusive use, or used or sold for use as supplies for vessels or aircraft;";

(11) by amending paragraph (4) of subsection (b) to read as follows:

"(4) TIRES AND INNER TUBES.—If—

"(A) a tire or inner tube taxable under section 4071 is sold by the manufacturer, producer, or importer thereof on or in connection with, or with the sale of, any other article manufactured or produced by him; and

"(B) such other article is by any person exported, sold to a State or local government for the exclusive use of a State or local government, sold to a nonprofit educational organization for its exclusive use, or used or sold for use as supplies for vessels or aircraft,

any tax imposed by chapter 32 in respect of such tire or inner tube which has been paid by the manufacturer, producer, or importer thereof shall be deemed to be an overpayment by him.";

(12) by striking out "4053(b)(1) or" each place it appears in subsection (b)(5).

(13) by amending subsection (c) to read as follows:

"(c) CREDIT FOR TAX PAID ON TIRES OR INNER TUBES.—If tires or inner tubes on which tax has been paid under chapter 32 are sold on or in connection with, or with the sale of, another article taxable under chapter 32, there shall (under regulations prescribed by the Secretary or his delegate) be credited (without interest) against the tax imposed on the sale of such other article, an amount determined by multiplying the applicable percentage rate of tax for such other article by—

"(1) the purchase price (less, in the case of tires, the part of such price attributable to the metal rim or rim base), if such tires or inner tubes were taxable under section 4071 (relating to tax on tires and inner tubes); or

72 Stat. 1281.

"(2) if such tires or inner tubes were taxable under section 4218 (relating to use by manufacturer, producer, or importer), the price (less, in the case of tires, the part of such price attributable to the metal rim or rim base) at which such or similar tires or inner tubes are sold, in the ordinary course of trade, by manufacturers, producers, or importers thereof, as determined by the Secretary or his delegate.

The credit provided by this subsection shall be allowable only in respect of the first sale on or in connection with, or with the sale of, another article on the sale of which tax is imposed under chapter 32.";

(14) by striking out subsection (d); and

(15) subsection (g) is amended by striking out "sections 4061(a), 4111, 4121, 4141," and inserting in lieu thereof "section 4061(a),".

68A Stat. 829.

(d) Section 6802 (relating to supply and distribution of stamps) is amended—

(1) by striking out "(other than the stamps on playing cards)" in paragraph (1); and

(2) by striking out paragraph (3).

(e) Section 6806 (relating to posting occupation tax stamps) is amended by striking out "AMUSEMENT AND" in the heading of subsection (b). 68A Stat. 831.

(f) Section 6808 (relating to special provision relating to stamps) is amended by striking out paragraphs (1) and (9).

(g) Section 7012 (relating to cross references) is amended by striking out subsection (d).

(h) Section 7272(b) (relating to cross references) is amended by striking out "4455,".

(i) Section 7275 (relating to failure to print correct price on tickets) is repealed and the table of sections for subchapter B of chapter 75 is amended by striking out the item relating to section 7275.

(j) Section 7326(a) (relating to disposal of forfeited or abandoned property in special cases) is amended by striking out "section 4462 (a)(2)" and inserting in lieu thereof "section 4462". 72 Stat. 1429. *Ante*, p. 149.

TITLE VII—EFFECTIVE DATES OF TITLES I-VI

SEC. 701. EFFECTIVE DATES.

(a) RETAILERS AND MANUFACTURERS EXCISE TAXES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by titles I and II of this Act shall apply with respect to articles sold on or after the day after the date of the enactment of this Act.

(2) SPECIAL RULES.—The amendments made by sections 201 (b)(2) (relating to automobile parts and accessories) and 202(a) (relating to lubricating oil) shall apply with respect to articles sold on or after January 1, 1966. The amendments made by section 202 (b) and (c) (relating to payments with respect to lubricating oil) shall take effect January 1, 1966. The amendments made by section 203, insofar as they relate to the tax imposed by section 4131 (relating to electric light bulbs) of the Code, and the amendments made by section 208, insofar as they relate to the tax imposed by section 4061(b) (relating to automotive parts and accessories), section 4091 (relating to lubricating oil), or section 4131 (relating to electric light bulbs) of the Code, shall apply with respect to articles sold on or after January 1, 1966. The amendments made by sections 207 (relating to partial payments; sales of installment accounts) and 209(a) (relating to floor stocks refunds on passenger automobiles, etc.) shall take effect on the day after the date of the enactment of this Act. The amendments made by section 210 (relating to Highway Trust Fund) shall take effect January 1, 1966.

(3) INSTALLMENT SALES, ETC.—For purposes of paragraphs (1) and (2), an article shall not be considered sold before the day after the date of the enactment of this Act or before January 1, 1966, as the case may be, unless possession or right to possession passes to the purchaser before such day or such date. In the case of—

(A) a lease,

(B) a contract for the sale of an article where it is provided that the price shall be paid by installments and title to the article sold does not pass until a future date notwithstanding partial payment by installments,

(C) a conditional sale, or

(D) a chattel mortgage arrangement wherein it is provided that the sale price shall be paid in installments,

entered into before such day or such date, payments made on or after such day or such date with respect to the article leased or sold shall, for purposes of this subsection, be considered as payments made with respect to an article sold on or after such day or such date, if the lessor or vendor establishes that the amount of payments payable on or after such day or such date with respect to such article has been reduced by an amount equal to the tax reduction applicable with respect to the lease or sale of such article.

(4) ELECTRIC LIGHT BULBS USED IN MANUFACTURE OF ARTICLES UPON WHICH TAX IS REPEALED.—For purposes of applying section 4218(a) of the Code with respect to the use of an electric light bulb or tube by the manufacturer, producer, or importer thereof, and for purposes of applying section 4221(d)(6)(A) of the Code with respect to the sale of an electric light bulb or tube for use in further manufacture, an article which was taxable under chapter 32 of the Code on the date of the enactment of this Act shall, during the period beginning with the day after the date of the enactment of this Act through December 31, 1965, be treated as an article taxable under such chapter.

(b) FACILITIES AND SERVICES TAXES.—

(1) ADMISSIONS AND CLUB DUES.—

(A) The amendments made by sections 301 and 305 insofar as they relate to the taxes imposed by section 4231 of the Code, shall apply with respect to admissions, services, or uses after noon, December 31, 1965.

(B) The amendments made by sections 301 and 305 insofar as they relate to the taxes imposed by section 4241 of the Code, shall apply with respect to—

(i) dues and membership fees attributable to periods beginning on or after January 1, 1966;

(ii) initiation fees (other than initiation fees to which clause (iii) applies) and amounts paid for life memberships attributable to memberships beginning on or after January 1, 1966;

(iii) initiation fees paid on or after July 1, 1965, to a new club or organization which first makes its facilities available to members on or after such date; and

(iv) in the case of amounts described in section 4243(b) of the Code, 3-year periods beginning on or after January 1, 1966.

(2) COMMUNICATIONS.—

(A) The amendments made by section 302 (relating to communication services) shall apply to amounts paid pursuant to bills rendered on or after January 1, 1966, for services rendered on or after such date. In the case of amounts paid pursuant to bills rendered on or after January 1, 1966, 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 shall apply to the amounts paid for such services.

72 Stat. 1289.

(B) Section 4251(b) of the Code, as in effect June 30, 1965, is repealed effective on and after July 1, 1965. 73 Stat. 158; 78 Stat. 237.

(3) TRANSPORTATION OF PERSONS BY AIR.—The amendments made by section 303 shall apply with respect to amounts paid for transportation, and amounts paid for accommodations in connection with transportation, beginning on or after July 1, 1965.

(4) SAFE DEPOSIT BOXES.—The amendments made by section 304 shall apply with respect to use periods beginning on or after July 1, 1965.

(c) MISCELLANEOUS TAXES.—

(1) The amendments made by section 401 (relating to documentary stamp taxes) shall apply on and after January 1, 1966.

(2) The amendments made by section 402 (relating to playing cards) and by subsection (c) of section 405 shall apply on and after the day after the date of the enactment of this Act. The amendments made by sections 403 (relating to occupational tax on coin-operated devices) and 404 (relating to occupational tax on bowling alleys, billiard and pool tables), and by subsections (a), (b), and (d) of section 405 (relating to technical and conforming changes) shall apply on and after July 1, 1965.

(d) ALCOHOL AND TOBACCO EXCISE TAXES.—The amendments made by section 501 shall apply on and after July 1, 1965. The amendments made by section 502 shall apply on and after January 1, 1966.

(e) ADMINISTRATIVE PROVISIONS.—Each amendment made by title VI, to the extent it relates to any tax provision changed by this Act, shall take effect in a manner consistent with the effective date for such changed tax provision.

TITLE VIII—MISCELLANEOUS STRUCTURAL CHANGES

SEC. 801. MOTOR VEHICLES.

(a) EXEMPTIONS FROM TAX.—Subsection (a) of section 4063 (relating to specific articles exempt from the tax on automobiles) is amended to read as follows: 68A Stat. 482.

"(a) SPECIFIED ARTICLES.—

"(1) CAMPER COACHES; BODIES FOR SELF-PROPELLED MOBILE HOMES.—The tax imposed under section 4061 shall not apply in the case of articles designed (A) to be mounted or placed on automobile trucks, automobile truck chassis, or automobile chassis, and (B) to be used primarily as living quarters. *Ante*, pp. 136, 137.

"(2) FEED, SEED, AND FERTILIZER EQUIPMENT.—The tax imposed under section 4061 shall not apply in the case of any body, part or accessory primarily designed—

"(A) to process or prepare seed, feed, or fertilizer for use on farms;

"(B) to haul feed, seed, or fertilizer to and on farms;

"(C) to spread feed, seed, or fertilizer on farms;

"(D) to load or unload feed, seed, or fertilizer on farms; or

"(E) for any combination of the foregoing.

"(3) HOUSE TRAILERS.—The tax imposed under section 4061(a) shall not apply in the case of house trailers.

"(4) SMALL 3-WHEELED TRUCKS.—The tax imposed under section 4061(a) shall not apply in the case of—

Ante, p. 136.

"(A) an automobile truck chassis which—

"(i) has only 3 wheels,

"(ii) is powered by a motor which does not exceed 18 brake horsepower (rated at 4,000 revolutions per minute), and

"(iii) does not exceed 1,000 pounds gross weight; or

"(B) a body designed primarily to be mounted on a chassis described in subparagraph (A)."

(b) MANUFACTURERS' PRICE OF TRUCKS IN WHICH USED PARTS ARE INCORPORATED.—Section 4216 (relating to definition of price) is amended by adding at the end thereof the following new subsection:

68A Stat. 493.
26 USC 4216.

"(g) CERTAIN TRUCKS INCORPORATING USED COMPONENTS.—For purposes of the tax imposed by section 4061(a)(1) (relating to trucks, buses, etc.), in determining the price for which an article is sold, the value of any component of such article shall be excluded from the price, if—

68A Stat. 481.

"(1) such component is furnished by the first user of such article, and

"(2) such component has been used prior to such furnishing."

(c) REBUILDING OF PARTS NOT CONSIDERED MANUFACTURING.—Paragraph (6) of section 4221(d) (relating to tax-free sales for use in further manufacture) is amended by adding at the end thereof the following new sentence:

72 Stat. 1283.

"For purposes of subparagraph (B), the rebuilding of a part or accessory which is exempt from tax under section 4063(c) shall not constitute the manufacture or production of such part or accessory."

78 Stat. 1086.

(d) SCHOOL BUSES.—

(1) TAX-FREE SALES.—Subsection (e) of section 4221 (relating to certain tax-free sales) is amended by adding at the end thereof the following new paragraph:

"(5) SCHOOL BUSES.—Under regulations prescribed by the Secretary or his delegate, the tax imposed by section 4061(a) shall not apply to a bus sold to any person for use exclusively in transporting students and employees of schools operated by State or local governments or by nonprofit educational organizations. For purposes of this paragraph, incidental use of a bus in providing transportation for a State or local government or a nonprofit organization described in section 501(c) which is exempt from tax under section 501(a) shall be disregarded."

68A Stat. 163;
74 Stat. 534.
72 Stat. 1306.

(2) CREDITS OR REFUNDS.—Subsection (b)(2) of section 6416 (relating to special cases in which tax payments are considered overpayments) is amended by adding at the end thereof the following new subparagraph:

"(R) in the case of a bus chassis or body taxable under section 4061(a), sold to any person for use as described in section 4221(e)(5)."

(e) EFFECTIVE DATES.—The amendments made by subsections (a), (b), and (d) shall apply with respect to articles sold on or after the day after the date of the enactment of this Act. The amendment made by subsection (c) shall apply with respect to articles sold on or after January 1, 1965.

SEC. 802. GASOLINE.

(a) DEFINITION OF GASOLINE.—

(1) IN GENERAL.—Subsection (b) of section 4082 (relating to definition of gasoline) is amended to read as follows: 68A Stat. 483.

"(b) GASOLINE.—As used in this subpart, the term 'gasoline' means all products commonly or commercially known or sold as gasoline which are suitable for use as a motor fuel."

(2) CASINGHEAD AND NATURAL GASOLINE.—Section 4041(b) (relating to special motor fuels) is amended by inserting after "liquefied petroleum gas," in the material preceding paragraph (1) "casinghead and natural gasoline,". 68A Stat. 478; 75 Stat. 123.

(b) REPEAL OF BONDING REQUIREMENTS.—

(1) Section 4082(d)(2) (relating to definition of wholesale distributors) is amended by striking out "and give a bond". 73 Stat. 615.

(2) Section 4101 (relating to registration and bond) is amended to read as follows: 68A Stat. 484.

"SEC. 4101. REGISTRATION.

"Every person subject to tax under section 4081 or section 4091 shall, before incurring any liability for tax under such sections, register with the Secretary or his delegate." 70 Stat. 389. *Ante*, p. 137.

(3) Section 7103(d)(3) (relating to cross references) is amended by striking out the semicolon at the end of subparagraph (E) and inserting in lieu thereof a period, and by striking out subparagraph (F). 68A Stat. 848.

(4) Section 7232 (relating to failure to register or give bond, or false statement by manufacturer or producer of gasoline or lubricating oil) is amended—

(A) by striking out "**OR GIVE BOND**" in the heading of such section;

(B) by striking out "or give bond" in the text of such section; and

(C) by striking out "and bonded" in the text of such section.

(5) The table of sections for subpart C of part III of subchapter A of chapter 32 is amended by striking out, in the item relating to section 4101, "and bond".

(6) The table of sections for part II of subchapter A of chapter 75 is amended by striking out, in the item relating to section 7232, "or give bond".

(c) EXCEPTION TO REGISTRATION IN CASE OF VESSELS AND AIRCRAFT.—Section 4222(b) (relating to exceptions to registration) is amended by adding at the end thereof the following new paragraph: 72 Stat. 1284.

"(5) SUPPLIES FOR VESSELS OR AIRCRAFT.—Subsection (a) shall not apply to a sale of an article for use by the purchaser as supplies for any vessel or aircraft if such purchaser complies with such regulations relating to the use of exemption certificates in lieu of registration as the Secretary or his delegate shall prescribe to carry out the purpose of this paragraph."

(d) EFFECTIVE DATES.—

(1) The amendments made by subsections (a)(1), (b), and (c) shall apply with respect to articles sold on or after July 1, 1965.

(2) The amendment made by subsection (a)(2) shall apply with respect to casinghead and natural gasoline sold or used on or after July 1, 1965, except that such amendment shall not apply to a sale or use of casinghead or natural gasoline which was sold

by a producer or importer before such date if tax under section 4081 of the Code (as in effect prior to the amendment made by subsection (a)(1)) was imposed with respect to such sale.

70 Stat. 389; 75 Stat. 123.

SEC. 803. CERTAIN TRANSPORTATION OF MEMBERS OF THE ARMED FORCES WHILE ON LEAVE.

(a) TREATMENT AS UNINTERRUPTED INTERNATIONAL AIR TRANSPORTATION.—Section 4262(c)(3) (relating to definition of uninterrupted international air transportation) is amended by adding after subparagraph (B) the following new sentence:

76 Stat. 117.

"For purposes of this paragraph, in the case of personnel of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard traveling in uniform at their own expense when on official leave, furlough, or pass, the scheduled interval described in subparagraph (A) shall be deemed to be not more than 6 hours if a ticket for the subsequent portion of such transportation is purchased within 6 hours after the end of the earlier portion of such transportation and the purchaser accepts and utilizes the first accommodations actually available to him for such subsequent portion."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to amounts paid for transportation beginning on or after July 1, 1965.

SEC. 804. POLICIES ISSUED BY FOREIGN INSURERS.

(a) PAYMENT OF TAX BY RETURN.—

72 Stat. 1301.

(1) Section 4374 (relating to affixing of stamps) is amended by adding at the end thereof the following new sentence: "Notwithstanding the preceding sentence, the Secretary or his delegate may, by regulations, provide that the tax imposed by section 4371 shall be paid on the basis of a return."

(2) The heading for section 4374 is amended to read as follows:

"SEC. 4374. PAYMENT OF TAX."

(3) The table of sections for subchapter D of chapter 34 is amended by striking out the item relating to section 4374 and inserting in lieu thereof the following:

"Sec. 4374. Payment of tax."

(b) TAX IMPOSED ON PREMIUMS PAID.—Section 4371 (relating to tax on policies issued by foreign insurers) is amended by adding at the end thereof the following new sentence:

"If the tax imposed by this section is paid on the basis of a return under regulations prescribed under section 4374, the tax under paragraphs (1), (2), and (3) shall be computed on the premium paid in lieu of the premium charged."

(c) EFFECTIVE DATES.—The amendments made by subsection (a) shall take effect on July 1, 1965. The amendments made by subsection (b) shall apply with respect to policies, bonds, and contracts with respect to which the tax imposed by section 4371 of the Code is required to be paid on the basis of a return.

SEC. 805. DISTILLED SPIRITS.

(a) RETURN OF DISTILLED SPIRITS TO BONDED PREMISES.—Section 5008(d)(2) (relating to the return of spirits to bonded premises) is amended by striking out "; and no claim shall be allowed in respect to any distilled spirits withdrawn from the bonded premises of a distilled spirits plant more than 6 months prior to the date of such return".

72 Stat. 1326.

(b) EXEMPTION FROM RECTIFICATION TAX.—Section 5025 (relating to exemptions from rectification tax) is amended by redesignating subsections (k) and (l) as subsections (l) and (m), respectively, and by inserting after subsection (j) the following new subsection: 72 Stat. 1328.

"(k) OTHER MINGLING OR TREATMENT OF DISTILLED SPIRITS.—The tax imposed by section 5021 shall not apply to the mingling of distilled spirits of the same class and type, or to the treatment of distilled spirits in such a manner as not to change the class and type of the distilled spirits, on bottling premises of a distilled spirits plant under such regulations as the Secretary or his delegate may prescribe."

(c) VOLUNTARY DESTRUCTION OF SPIRITS.—The second sentence of section 5215(a) (relating to the return of tax-determined distilled spirits to bonded premises) is amended to read as follows: "Such returned distilled spirits shall immediately be destroyed, redistilled, or denatured, or may, in lieu of destruction, redistillation, or denaturation, be mingled on bonded premises as authorized in section 5234 (a)(1)(A), (a)(1)(D), or (a)(1)(E)."

(d) REDISTILLATION OF SPIRITS, ARTICLES, AND RESIDUES.—Section 5223 (relating to the redistillation of spirits) is amended by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and by inserting after subsection (b) the following new subsection:

"(c) REDISTILLATION OF ARTICLES AND RESIDUES.—Articles, containing denatured distilled spirits, which were manufactured under the provisions of subchapter D, and the spirits residues of manufacturing processes related thereto, may be received, and the distilled spirits therein recovered by redistillation, on the bonded premises of a distilled spirits plant authorized to produce distilled spirits, under such regulations as the Secretary or his delegate may prescribe."

(e) RELANDING OF EXPORTED DISTILLED SPIRITS.—Section 5608(b) (relating to the unlawful relanding of distilled spirits) is amended by striking out "intentionally" and inserting in lieu thereof ", with intent to defraud the United States,".

(f) CONFORMING AND CLERICAL AMENDMENTS.—

(1) Section 5004(c) is amended by striking out "section 5223(d)" and inserting in lieu thereof "section 5223(e)".

(2) Section 5025(e)(3) is amended by striking out "or in rectification under subsection (f); or" and inserting in lieu thereof "or for blending under subsection (f), or for other mingling or treatment under subsection (k); or".

(3) Section 5025(f)(1) is amended by inserting ", differing as to type," after "whiskies".

(4) Section 5025(f)(2) is amended by inserting ", differing as to type," after "brandies".

(5) Section 5025(f)(4) is amended by inserting ", differing as to type," after "rums".

(6) Section 5062(c)(1) is amended by striking out "within six months of their release therefrom". 78 Stat. 746.

(7) Section 5083 is amended by striking out paragraph (14) and inserting in lieu thereof the following:

"(14) Other mingling or treatment of distilled spirits, see section 5025(k).

"(15) Authorized addition of tracer elements, see section 5025(l)."

(8) The heading of section 5223 is amended by striking out **"SPIRITS"** and inserting in lieu thereof **"SPIRITS, ARTICLES, AND RESIDUES"**.

(9) The table of sections for subpart B of part II of subchapter C of chapter 51 is amended by striking out "spirits" in the item

72 Stat. 1365.

relating to section 5223 and inserting in lieu thereof "spirits, articles, and residues".

(10) Section 5223(d) (as redesignated by subsection (d) of this section) is amended—

(A) by inserting ", ARTICLES, AND RESIDUES" after "DISTILLED SPIRITS" in the heading of such section; and

(B) by inserting ", or by the redistillation of the articles or residues described in subsection (c)," after "denatured distilled spirits" in the text of such section.

(11) Section 5234(a)(1)(B) is amended by striking out "or rectification under section 5025(f);" and inserting in lieu thereof ", or for blending under section 5025(f), or for other mingling or treatment under section 5025(k);".

72 Stat. 1328; *Ante*, p. 161.

(g) EFFECTIVE DATES.—

(1) The amendments made by subsections (a), (c), (e), and (f)(6) shall take effect on July 1, 1965.

(2) The amendments made by subsections (b), (d), and (f) (other than paragraph (6)), shall take effect on October 1, 1965.

SEC. 806. WINE.

(a) CARBON DIOXIDE IN STILL WINES.—Section 5041(a) (relating to the imposition of tax on wines) is amended by striking out in the last sentence "0.256" and inserting in lieu thereof "0.277".

(b) DELETION OF WINE RESERVE INVENTORY PROVISIONS; PROVISIONS RELATING TO USE OF SUGAR.—

72 Stat. 1384.

(1) Section 5383 (relating to amelioration and sweetening limitations for natural grape wines) is amended to read as follows:

"SEC. 5383. AMELIORATION AND SWEETENING LIMITATIONS FOR NATURAL GRAPE WINES.

"(a) SWEETENING OF GRAPE WINES.—Any natural grape wine may be sweetened after fermentation and before taxpayment with pure dry sugar or liquid sugar if the total solids content of the finished wine does not exceed 12 percent of the weight of the wine and the alcoholic content of the finished wine after sweetening is less than 14 percent by volume; except that the use under this subsection of liquid sugar shall be limited so that the resultant volume will not exceed the volume which could result from the maximum authorized use of pure dry sugar only.

"(b) HIGH ACID WINES.—

"(1) IN GENERAL.—Before, during, and after fermentation, ameliorating material consisting of pure dry sugar or liquid sugar, water, or combination of sugar and water, may be added to natural grape wines of the winemaker's own production when such wines are made from juice having a natural fixed acid content of more than five parts per thousand (calculated before fermentation and as tartaric acid).

"(2) LIMITATIONS.—

"(A) Ameliorating material shall not reduce the natural fixed acid content of the juice to less than five parts per thousand.

"(B) The volume of authorized ameliorating material shall not exceed 35 percent of the volume of juice (calculated exclusive of pulp) and ameliorating material combined.

"(C) Sweetening material, consisting of pure dry sugar or liquid sugar, may be added to ameliorated wine in an amount which shall not increase its volume by more than 0.0675 gallon per gallon of juice and ameliorating material combined.

"(D) Wine spirits may be added only if the juice or wine contains less than 14 percent of alcohol by volume.

"(E) The total solids content of the finished wine shall not exceed 17 percent by weight if the alcoholic content is 14 percent or more by volume, nor more than 21 percent by weight if the alcoholic content is less than 14 percent by volume."

(2) Section 5384 (relating to amelioration and sweetening limitations for natural fruit and berry wines) is amended— 72 Stat. 1385.

(A) by striking out subsection (a) and inserting in lieu thereof the following:

"(a) IN GENERAL.—To natural wine made from berries or fruit other than grapes, pure dry sugar or liquid sugar may be added to the juice in the fermenter, or to the wine after fermentation; but only if such wine has less than 14 percent alcohol by volume after complete fermentation, or after complete fermentation and sweetening, and a total solids content not in excess of 21 percent by weight; and except that the use under this subsection of liquid sugar shall be limited so that the resultant volume will not exceed the volume which could result from the maximum authorized use of pure dry sugar only.";

(B) by striking out paragraph (1) of subsection (b) and inserting in lieu thereof the following:

"(1) Any natural fruit or berry wine (other than grape wine) of a winemaker's own production may, if not made under subsection (a) of this section, be ameliorated to correct high acid content. Ameliorating material calculations and accounting shall be separate for wines made from each different kind of fruit.";

(C) by striking out the first sentence of subsection (b)(2) and inserting in lieu thereof the following: "Pure dry sugar or liquid sugar may be used in the production of wines under this subsection for the purpose of correcting natural deficiencies, but not to such an extent as would reduce the natural fixed acid in the corrected juice or wine to five parts per thousand.";

(D) by striking out subparagraph (B) of subsection (b)(2) and inserting in lieu thereof the following:

"(B) Juice adjusted with pure dry sugar or liquid sugar as provided in this paragraph shall be treated in the same manner as original natural juice under the provisions of section 5383(b); except that if liquid sugar is used, the volume of water contained therein must be deducted from the volume of ameliorating material authorized;"; and *Ante*, p. 162.

(E) by striking out in subsection (b)(2)(C) "may be withdrawn from reserve inventory with" and inserting in lieu thereof "shall have".

(3) Section 5392 (relating to definitions) is amended—

(A) by striking out the first sentence of subsection (c) and inserting in lieu thereof the following: "For purposes of this subchapter the term 'pure sugar' means pure refined sugar, suitable for human consumption, having a dextrose equivalent of not less than 95 percent on a dry basis, and produced from cane, beets, or fruit, or from grain or other sources of starch."; and

(B) by adding at the end thereof the following new subsection:

"(g) LIQUID SUGAR.—For purposes of this subchapter the term 'liquid sugar' means a substantially colorless pure sugar and water

solution containing not less than 60 percent pure sugar by weight (60 degrees Brix)."

(c) CONFORMING AMENDMENTS.—

72 Stat. 1384.

(1) Section 5382(b)(2) is amended by striking out "made without added sugar or reserved as provided in sections 5383(b) and 5384(b)".

(2) Section 5384(b)(2) is amended by striking out "reserved" in the fourth sentence.

(3) The heading of section 5384(b) is amended by striking out "RESERVE" and inserting in lieu thereof "AMELIORATED".

(4) Section 5385(a) is amended by striking out "sugar solids content in excess of 15" and inserting in lieu thereof "total solids content in excess of 17".

(d) EFFECTIVE DATES.—

(1) The amendment made by subsection (a) shall take effect on July 1, 1965.

(2) The amendments made by subsections (b) and (c) shall take effect on January 1, 1966.

SEC. 807. EXPORTATION OF LIQUORS TO POSSESSIONS.

72 Stat. 1315.

(a) EXPORTATION.—Section 5002(a) (relating to definitions) is amended by adding at the end thereof the following new paragraph:

"(12) EXPORT.—The terms 'export', 'exported', and 'exportation' shall include shipments to a possession of the United States."

72 Stat. 1334.

(b) CONFORMING AMENDMENT.—Section 5053(a) is amended by striking out "to a foreign country".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on July 1, 1965.

SEC. 808. TOBACCO.

Ante, p. 151.

(a) USE OF RECONSTITUTED TOBACCO AS A WRAPPER.—Section 5702 (relating to definitions for purposes of the tobacco taxes) is amended by striking out subsections (a) and (b) (as redesignated by section 502) and inserting in lieu thereof the following:

"(a) CIGAR.—'Cigar' means any roll of tobacco wrapped in leaf tobacco or in any substance containing tobacco (other than any roll of tobacco which is a cigarette within the meaning of subsection (b)(2)).

"(b) CIGARETTE.—'Cigarette' means—

"(1) any roll of tobacco wrapped in paper or in any substance not containing tobacco, and

"(2) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in paragraph (1)."

(b) CREDIT AS WELL AS REFUND OF TAX PERMITTED.—

72 Stat. 1419.

(1) Section 5705(a) (relating to refund of tax) is amended by striking out "REFUND.—Refund of any tax imposed by this chapter shall be made" and inserting in lieu thereof "CREDIT OR REFUND.—Credit or refund of any tax imposed by this chapter or section 7652 shall be allowed or made".

(2) Section 5705(c) (relating to limitation on claim for refund) is amended by inserting "credit or" before "refund".

68A Stat. 907.

(3) Section 7652(a)(3) (relating to deposit of internal revenue collections on articles of Puerto Rican manufacture) is amended by inserting "(less the estimated amount necessary for payment of refunds and drawbacks)" after "transported to the United States".

(c) CLERICAL AMENDMENTS.—

(1) The heading of section 5705 is amended by striking out **"REFUND OR"** and inserting in lieu thereof **"CREDIT, REFUND, OR"**. 72 Stat. 1419.

(2) The table of sections for subchapter A of chapter 52 is amended by striking out "Refund or" in the item relating to section 5705 and inserting in lieu thereof "Credit, refund, or".

(d) EFFECTIVE DATES.—

(1) The amendments made by subsections (a) and (b)(3) shall take effect on July 1, 1965.

(2) The amendments made by subsections (b)(1), (b)(2), and (c) shall take effect on October 1, 1965.

SEC. 809. INCOME TAX CREDIT IN LIEU OF PAYMENTS WITH RESPECT TO CERTAIN USES OF GASOLINE AND LUBRICATING OIL.

(a) GASOLINE USED ON FARMS.—

(1) IN GENERAL.—Section 6420 (relating to gasoline used on farms) is amended— 70 Stat. 87.

(A) by striking out "If" in subsection (a) and inserting in lieu thereof "Except as provided in subsection (h), if"; and

(B) by redesignating subsection (h) as (i), and by inserting after subsection (g) the following new subsection:

"(h) INCOME TAX CREDIT IN LIEU OF PAYMENT.—

"(1) PERSONS NOT SUBJECT TO INCOME TAX.—Payment shall be made under subsection (a) with respect to gasoline used after June 30, 1965, only to—

"(A) the United States or an agency or instrumentality thereof, a State, a political subdivision of a State, or an agency or instrumentality of one or more States or political subdivisions, or

"(B) an organization exempt from tax under section 501(a) (other than an organization required to make a return of the tax imposed under subtitle A for its taxable year). 68A Stat. 153.

"(2) ALLOWANCE OF CREDIT AGAINST INCOME TAX.—

"For allowance of credit against the tax imposed by subtitle A for gasoline used after June 30, 1965, see section 39." *Post*, p. 167.

(2) TIME FOR FILING CLAIMS; PERIOD COVERED.—Subsection (b) of section 6420 (relating to time for filing claims; period covered) is amended to read as follows:

"(b) TIME FOR FILING CLAIM; PERIOD COVERED.—

"(1) GASOLINE USED BEFORE JULY 1, 1965.—Except as provided in paragraph (2), not more than one claim may be filed under this section by any person with respect to gasoline used during the one-year period ending on June 30 of any year. No claim shall be allowed under this paragraph with respect to any one-year period unless filed on or before September 30 of the year in which such one-year period ends.

"(2) GASOLINE USED AFTER JUNE 30, 1965.—In the case of gasoline used after June 30, 1965—

"(A) not more than one claim may be filed under this section by any person with respect to gasoline used during his taxable year; and

"(B) no claim shall be allowed under this section with respect to gasoline used during any taxable year unless filed by such person not later than the time prescribed by law for filing an income tax return for such taxable year.

For purposes of this paragraph, a person's taxable year shall be his taxable year for purposes of subtitle A, except that a person's first taxable year beginning after June 30, 1965, shall include the period after June 30, 1965, and before the beginning of such first taxable year."

70 Stat. 89.

(3) TECHNICAL AMENDMENT.—Subsection (d) of section 6420 (relating to exempt sales, etc.) is amended by striking out "paid" in the first sentence and inserting in lieu thereof "payable".

(b) GASOLINE USED FOR CERTAIN NONHIGHWAY PURPOSES OR BY LOCAL TRANSIT SYSTEMS.—

70 Stat. 394.

(1) IN GENERAL.—Section 6421 (relating to gasoline used for certain nonhighway purposes or by local transit systems) is amended—

(A) by striking out "If" in subsections (a) and (b) and inserting in lieu thereof "Except as provided in subsection (i), if"; and

(B) by redesignating subsection (i) as (j), and by inserting after subsection (h) the following new subsection:

"(i) INCOME TAX CREDIT IN LIEU OF PAYMENT.—

"(1) PERSONS NOT SUBJECT TO INCOME TAX.—Payment shall be made under subsections (a) and (b) with respect to gasoline used after June 30, 1965, only to—

"(A) the United States or an agency or instrumentality thereof, a State, a political subdivision of a State, or an agency or instrumentality of one or more States or political subdivisions, or

68A Stat. 163.

"(B) an organization exempt from tax under section 501(a) (other than an organization required to make a return of the tax imposed under subtitle A for its taxable year).

"(2) EXCEPTION.—Paragraph (1) shall not apply to a payment of a claim filed under subsection (c)(3)(B).

"(3) ALLOWANCE OF CREDIT AGAINST INCOME TAX.—

"For allowance of credit against the tax imposed by subtitle A for gasoline used after June 30, 1965, see section 39."

Post, p. 167.

72 Stat. 1312.

(2) TIME FOR FILING CLAIMS; PERIOD COVERED.—Subsection (c) of section 6421 (relating to time for filing claim; period covered) is amended—

(A) by striking out "GENERAL RULE.—Except as provided in paragraph (2)" in paragraph (1) and inserting in lieu thereof "GASOLINE USED BEFORE JULY 1, 1965.—Except as provided in paragraphs (2) and (3)";

(B) by striking out "If" in paragraph (2) and inserting in lieu thereof "Except as provided in paragraph (3), if"; and

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

"(3) GASOLINE USED AFTER JUNE 30, 1965.—

"(A) IN GENERAL.—In the case of gasoline used after June 30, 1965—

"(i) except as provided in subparagraph (B), not more than one claim may be filed under subsection (a), and not more than one claim may be filed under subsection (b), by any person with respect to gasoline used during his taxable year; and

"(ii) no claim shall be allowed under this subparagraph with respect to gasoline used during any taxable year unless filed by such person not later than the time prescribed by law for filing an income tax return for such taxable year.

For purposes of this paragraph, a person's taxable year shall be his taxable year for purposes of subtitle A, except that a person's first taxable year beginning after June 30, 1965, shall include the period after June 30, 1965, and before the beginning of such first taxable year.

"(B) EXCEPTION.—If $1,000 or more is payable under this section to any person with respect to gasoline used during any of the first three quarters of his taxable year, a claim may be filed under this section by such person with respect to gasoline used during such quarter. No claim filed under this subparagraph shall be allowed unless filed on or before the last day of the first quarter following the quarter for which the claim is filed."

(3) TECHNICAL AMENDMENT.—Subsection (e)(1) of section 6421 (relating to exempt sales, etc.) is amended by striking out "paid" in the first sentence and inserting in lieu thereof "payable". 70 Stat. 395.

(c) CREDIT AGAINST INCOME TAX.—Subpart A of part IV of subchapter A of chapter 1 (relating to credits allowable) is amended by renumbering section 39 as 40, and by inserting after section 38 the following new section: 68A Stat. 12.

"SEC. 39. CERTAIN USES OF GASOLINE AND LUBRICATING OIL.

"(a) GENERAL RULE.—There shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the sum of the amounts payable to the taxpayer—

"(1) under section 6420 with respect to gasoline used during the taxable year on a farm for farming purposes (determined without regard to section 6420(h)), *Ante*, p. 165.

"(2) under section 6421 with respect to gasoline used during the taxable year (A) otherwise than as a fuel in a highway vehicle or (B) in vehicles while engaged in furnishing certain public passenger land transportation service (determined without regard to section 6421(i)), and *Ante*, p. 166.

"(3) under section 6424 with respect to lubricating oil used during the taxable year otherwise than in a highway motor vehicle (determined without regard to section 6424(g)). *Ante*, p. 138.

"(b) TRANSITIONAL RULES.—For purposes of paragraphs (1) and (2) of subsection (a), a taxpayer's first taxable year beginning after June 30, 1965, shall include the period after June 30, 1965, and before the beginning of such first taxable year. For purposes of paragraph (3) of subsection (a), a taxpayer's first taxable year beginning after December 31, 1965, shall include the period after December 31, 1965, and before the beginning of such first taxable year.

"(c) EXCEPTION.—Credit shall not be allowed under subsection (a) for any amount payable under section 6421 or 6424, if a claim for such amount is timely filed, and under section 6421(i) or 6424(g) is payable, under such section."

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections for subpart A of part IV of subchapter A of chapter 1 is amended by striking out the item relating to section 39 and inserting in lieu thereof the following:

"Sec. 39. Certain uses of gasoline and lubricating oil.
"Sec. 40. Overpayments of tax."

(2) Section 72(n)(3) (relating to determination of taxable income for certain purposes) is amended by striking out "section 31" and inserting in lieu thereof "sections 31 and 39". 76 Stat. 825.

(3) Section 874(a) (relating to allowance of deduction and credits of nonresident aliens) is amended by inserting before the period at the end thereof "or the credit provided by section 39 for certain uses of gasoline and lubricating oil". 68A Stat. 281.

68A Stat. 767.

(4) (A) Section 6201(a) (relating to assessment authority of the Secretary or his delegate) is amended by adding at the end thereof the following new paragraph:

"(4) ERRONEOUS CREDIT FOR USE OF GASOLINE.—If on any return or claim for refund of income taxes under subtitle A there is an overstatement of the credit allowable by section 39 (relating to certain uses of gasoline and lubricating oil), the amount so overstated which is allowed against the tax shown on the return or which is allowed as a credit or refund may be assessed by the Secretary or his delegate in the same manner as in the case of a mathematical error appearing upon the return."

(B) Section 6213(e) is amended by adding at the end thereof the following new paragraph:

"(3) For assessment as if a mathematical error on the return, in the case of erroneous claims for credits under section 39, see section 6201(a)(4)."

(5) (A) Section 6211(b) (relating to rules for applying the definition of a deficiency) is amended by adding at the end thereof the following new paragraph:

"(4) The tax imposed by subtitle A and the tax shown on the return shall both be determined without regard to the credit under section 39, unless, without regard to such credit, the tax imposed by subtitle A exceeds the excess of the amount specified in subsection (a)(1) over the amount specified in subsection (a)(2)."

Ante, p. 167.

68A Stat. 340.

(B) Section 1314(a)(1)(A) (relating to ascertainment of amount of adjustment) and section 1481(b)(2)(A)(i) (relating to credit against repayment on account of renegotiation or allowance) are amended by striking out "(b) (1) and (3)" and inserting in lieu thereof "(b) (1), (3), and (4)".

68A Stat. 791.

(6) Section 6401 (relating to amounts treated as overpayments) is amended by striking out subsection (b) and inserting in lieu thereof the following:

"(b) EXCESSIVE CREDITS UNDER SECTIONS 31 AND 39.—If the amount allowable as credits under sections 31 (relating to tax withheld on wages) and 39 (relating to certain uses of gasoline and lubricating oil) exceeds the tax imposed by subtitle A (reduced by the credits allowable under subpart A of part IV of subchapter A of chapter 1, other than the credits allowable under sections 31 and 39), the amount of such excess shall be considered an overpayment."

70 Stat. 399.
23 USC 120 note.

(e) TRANSFERS FROM HIGHWAY TRUST FUND.—Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from the Highway Trust Fund) is amended by adding at the end thereof the following new paragraph:

"(6) TRANSFERS FROM THE TRUST FUND FOR INCOME TAX CREDITS ALLOWED FOR CERTAIN USES OF GASOLINE AND LUBRICATING OIL.—The Secretary of the Treasury shall pay from time to time from the Trust Fund into the general fund of the Treasury amounts equivalent to the credits allowed under section 39 of the Internal Revenue Code of 1954 (relating to credit for certain uses of gasoline and lubricating oil) with respect to gasoline and lubricating oil used before October 1, 1972. Such amounts shall be transferred on the basis of estimates by the Secretary of the Treasury, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the credits allowed."

(f) EFFECTIVE DATES.—The amendments made by subsections (a) and (b) shall apply with respect to gasoline used on or after July 1, 1965. The amendments made by subsections (c) and (d) shall apply to taxable years beginning on or after July 1, 1965.

SEC. 810. STATUTE OF LIMITATIONS ON ASSESSMENT AND COLLECTION OF EXCISE TAXES.

(a) RETURN DEEMED FILED.—Subsection (b) of section 6501 (relating to time return deemed filed) is amended by adding at the end thereof the following new paragraph: 68A Stat. 803.

"(4) RETURN OF EXCISE TAXES.—For purposes of this section, the filing of a return for a specified period on which an entry has been made with respect to a tax imposed under a provision of subtitle D (including a return on which an entry has been made showing no liability for such tax for such period) shall constitute the filing of a return of all amounts of such tax which, if properly paid, would be required to be reported on such return for such period."

(b) SUBSTANTIAL OMISSION OF TAX ON RETURN.—

(1) IN GENERAL.—Subsection (e) of section 6501 (relating to limitations on assessment and collection where there is an omission from gross income) is amended by adding at the end thereof the following new paragraph:

"(3) EXCISE TAXES.—In the case of a return of a tax imposed under a provision of subtitle D, if the return omits an amount of such tax properly includible thereon which exceeds 25 percent of the amount of such tax reported thereon, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within 6 years after the return is filed."

(2) CLERICAL AMENDMENT.—The heading for subsection (e) of section 6501 is amended by striking out "OMISSION FROM GROSS INCOME" and inserting in lieu thereof "SUBSTANTIAL OMISSION OF ITEMS".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to returns filed on or after July 1, 1965.

SEC. 811. EXCHANGES FOR SALE OF POULTRY.

(a) EXEMPTION FROM TAX.—A corporation, association, or organization organized and operated exclusively for the purpose of providing an exchange for the sale of poultry for the poultry growers of a particular locality shall be treated for purposes of the Internal Revenue Code of 1954 as an organization described in section 501(c) (relating to list of exempt organizations) of such Code, if— 68A Stat. 163; 74 Stat. 534.

(1) such corporation, association, or organization has no capital stock and is not organized for profit,

(2) no member of the governing body of such corporation, association, or organization receives any compensation from such corporation, association, or organization,

(3) the net earnings of such corporation, association, or organization (except for reasonable additions to reserves for the operation of such exchange) are devoted exclusively to disseminating information as to the best methods of poultry culture and to other agricultural purposes, and

(4) at all times on and after June 10, 1965, and before the close of its last taxable year beginning before January 1, 1966, all of the net assets of such corporation, association, or organization must, on liquidation for any reason, be transferred to an educational organization which is exempt from tax under section 501(a) of such Code or which is an agency or instrumentality of, or is owned or operated by, a State.

(b) APPLICATION OF SUBSECTION (a).—Subsection (a) shall apply to taxable years beginning after December 31, 1953, and ending after August 16, 1954, which begin before January 1, 1966.

SEC. 812. PROHIBITION UPON LEVIES ON MAIL.

68A Stat. 784; 72 Stat. 1047.

(a) IN GENERAL.—Section 6334(a) (relating to property exempt from levy) is amended by adding at the end thereof the following new paragraph:

"(5) UNDELIVERED MAIL.—Mail, addressed to any person, which has not been delivered to the addressee."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 813. STATE-CONDUCTED SWEEPSTAKES.

68A Stat. 525.

(a) Section 4402 (relating to exemptions from the tax on wagers) 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 ", or", and by adding at the end thereof the following new paragraph:

"(3) STATE-CONDUCTED SWEEPSTAKES.—On any wager placed in a sweepstakes, wagering pool, or lottery—

"(A) which is conducted by an agency of a State acting under authority of State law, and

"(B) the ultimate winners in which are determined by the results of a horse race,

but only if such wager is placed with the State agency conducting such sweepstakes, wagering pool, or lottery, or with its authorized employees or agents."

(b) The amendment made by subsection (a) shall apply with respect to wagers placed after March 10, 1964.

Approved June 21, 1965, 4:25 p.m.

Public Law 89-45

June 22, 1965 [H. R. 1782]

AN ACT

To amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such Act.

Retired Federal Employees Health Benefits Act, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 4(b) and 6(c) of the Retired Federal Employees Health Benefits Act (74 Stat. 850 and 851; 5 U.S.C. 3053(b) and 3055(c)) are hereby repealed.

SEC. 2. Section 8(a) of such Act (74 Stat. 851; 5 U.S.C. 3057(a)) is amended by adding at the end thereof the following sentence: "In addition, the Government shall contribute annually and there shall be deposited in the Fund amounts for payment of expenses incurred by the Commission in administering this Act."

SEC. 3. Section 8(b) of such Act (74 Stat. 851; 5 U.S.C. 3057(b)) is amended to read as follows:

"(b) The Fund shall be available without fiscal year limitation for all payments on account of the health benefits plan negotiated under section 3 of this Act, for payment of the Government's contribution provided for by section 6(a) of this Act to agencies of the Government which administer a retirement system for civilian employees of the Government, and for payment of expenses, within such limitations as may be specified annually in appropriation acts, incurred by the Commission in administering this Act."

5 USC 3052.

Approved June 22, 1965.

Public Law 89-46

AN ACT

June 22, 1965
[H. R. 7777]

To authorize the President to appoint General William F. McKee (United States Air Force, retired) to the office of Administrator of the Federal Aviation Agency.

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 301(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1341(b)), or any other provision of law, the President, acting by and with the advice and consent of the Senate, is authorized to appoint General William F. McKee (United States Air Force, retired) to the office of Administrator of the Federal Aviation Agency. General McKee's appointment to, acceptance of, and service in that office shall in no way affect any status, rank, or grade he may occupy or hold in the United States Air Force or any component thereof, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade: *Provided*, That so long as he holds the office of Administrator of the Federal Aviation Agency, he shall receive the compensation of that office at the rate specified in the Federal Executive Salary Act of 1964 (title III of the Act of August 14, 1964, Public Law 88-426) and shall retain the rank and grade which he now holds as an officer on the retired list of the Regular Air Force, and shall in addition continue to receive the retired pay to which he is entitled by law, subject to the provisions of the Dual Compensation Act (the Act of August 19, 1964, Public Law 88-448).

Gen. William F. McKee, appointment as F.A.A. Administrator.
72 Stat. 744.

78 Stat. 416.
5 USC 2211.

78 Stat. 484.
5 USC 3101 note.

SEC. 2. In the performance of his duties as Administrator of the Federal Aviation Agency, General McKee shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were not an officer on the retired list of the Regular Air Force.

Restrictions, waiver.

SEC. 3. It is hereby expressed as the intent of the Congress that the authority granted by this Act is not to be construed as approval by the Congress of continuing appointments of military men to the office of Administrator of the Federal Aviation Agency in the future.

Intent of Congress.

Approved June 22, 1965.

Public Law 89-47

AN ACT

June 24, 1965
[H. R. 1732]

To extend the Act of September 26, 1961, relating to allotment and assignment of pay, to cover the Government Printing Office, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of the first section of the Act entitled "An Act to authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes", approved September 26, 1961 (75 Stat. 662; 5 U.S.C. 3071), is amended—

Government Printing Office employees.
Advance pay and allotments.

(1) by striking out the word "and" immediately following "(F) the Library of Congress;";

(2) by adding

"(G) the Government Printing Office; and" immediately below

"(F) the Library of Congress;"; and

(3) by striking out "(G)" and inserting in lieu thereof "(H)".

Approved June 24, 1965.

Public Law 89-48

June 24, 1965
[S. 1000]

AN ACT

To amend the Act of July 29, 1954, as amended, to permit transfer of title to movable property to agencies which assume operation and maintenance responsibility for project works serving municipal and industrial functions.

Irrigation works.
Movable property title.
43 USC 499a.

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 July 29, 1954 (68 Stat. 580), as amended by the Act of August 2, 1956 (70 Stat. 940), is further amended to read as follows:

"SEC. 1. That whenever an irrigation district, municipality, or water users' organization assumes operation and maintenance of works constructed to furnish or distribute a water supply pursuant to a contract entered into with the United States in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) (43 U.S.C. 371 et seq.), the Secretary of the Interior may transfer to said district, municipality, or organization title to movable property which has been purchased with funds advanced by the district, municipality, or organization or which, in the case of property purchased with appropriated funds, is necessary to the operation and maintenance of such works and the value of which is to be repaid under a contract with the district, municipality, or organization. In order to encourage the assumption by irrigation districts, municipalities, and water users' organizations of the operation and maintenance of works constructed to furnish or distribute a water supply, the Secretary is authorized to use appropriated funds available for the project involved to acquire movable property for transfer under the terms and conditions hereinbefore provided, at the time operation and maintenance is assumed."

SEC. 2. Whenever a municipal corporation or other organization to which water for municipal, domestic, or industrial use is furnished or distributed under a contract entered into with the United States pursuant to the Federal reclamation laws so requests, the Secretary of the Interior is authorized to transfer to it or its nominee the care, operation, and maintenance of the works by which such water supply is made available or such part of those works as, in his judgment, is appropriate in the circumstances, subject to such terms and conditions as he may prescribe.

Approved June 24, 1965.

Public Law 89-49

June 24, 1965
[H. R. 8464]

AN ACT

To provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

Public debt limit.
Temporary increase.
78 Stat. 225.

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, 1965, and ending on June 30, 1966, 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 $328,000,000,000.

Approved June 24, 1965.

Public Law 89-50

AN ACT

June 24, 1965
[H. R. 214]

To amend section 2104 of title 38, United States Code, to extend the time for filing certain claims for mustering-out payments, and, effective July 1, 1966, to repeal chapter 43 of title 38 of the United States Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 43 of title 38, United States Code, is repealed.

Veterans, rights and benefits.
72 Stat. 1222.
38 USC 2101-2105.

(b) The table of chapters immediately before chapters 1 and 31 of title 38, United States Code, are each amended by striking out

"43. Mustering-Out Payments ..... 2101"

(c) Subsection (c) of section 12 of the Act entitled "An Act to consolidate into one Act all of the laws administered by the Veterans' Administration", approved September 2, 1958 (Public Law 85-857), is repealed.

72 Stat. 1264.
38 USC note prec. Pt. I.

(d) The amendments and repeals made by this section shall take effect as of July 1, 1966.

Effective date.

SEC. 2. Section 2104 of title 38, United States Code, is amended by inserting the following new sentence after the first sentence thereof: "Notwithstanding the first sentence of this section or section 71a of title 31, a member of the Armed Forces entitled to mustering-out payment who was discharged or relieved from active service as an officer of an armed force under honorable conditions before July 16, 1952, for the purpose of appointment as a warrant officer or commissioned officer in a regular component of an armed force, shall, if application is made before January 31, 1966, be paid mustering-out payment by the Secretary concerned beginning within one month after application has been received and approved."

54 Stat. 1061.

Approved June 24, 1965.

Public Law 89-51

AN ACT

June 28, 1965
[H. R. 7762]

To amend titles 10 and 37, United States Code, with respect to the Reserve Officers' Training Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all provisions of law except sections 2107 (b)(3) and (f) of title 10, United States Code, that apply to midshipmen appointed under Public Law 88-647, apply to midshipmen appointed in the Naval Reserve before October 13, 1964.

Reserve Officers' Training Corps.
78 Stat. 1067.

SEC. 2. Section 2109(b) of title 10, United States Code, is amended by inserting the words ", and designated applicants for membership in," after the words "members of" wherever they appear.

SEC. 3. Section 209 of title 37, United States Code, is amended by striking out the words "retainer pay" and "Retainer pay" wherever they appear in subsections (a) and (b) and inserting the words "subsistence allowance" and "Subsistence allowance" in place thereof, respectively.

SEC. 4. The effective date of this Act is October 13, 1964.

Effective date.

Approved June 28, 1965.

Public Law 89-52

June 28, 1965
[H. R. 6767]

AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Department of the Interior and Related Agencies Appropriation Act, 1966.

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, 1966, 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, $49,080,000.

CONSTRUCTION AND MAINTENANCE

For acquisition, construction and maintenance of buildings, appurtenant facilities, and other improvements, and maintenance of access roads, $3,150,000, 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 Treas-

ury 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. 43 USC 315b, 315i. 3 CFR 1954-1958 Comp., p. 424.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase of six passenger motor vehicles 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 revested 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.

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; $105,846,000: *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 jurisdiction 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; $42,796,000.

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; $34,513,000, 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: *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 $558,000 shall be for assistance to the Dunseith, North Dakota, Public School District No. 1, for construction of an addition to the Dunseith Public 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, $17,445,000, 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, $4,520,000.

MENOMINEE EDUCATIONAL GRANTS

For grants to the State of Wisconsin or the County or Town of Menominee for school district costs, as authorized by the Act of April 4, 1962 (76 Stat. 53), $44,000.

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, Washington, and Wyoming, 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 two hundred and ten passenger motor vehicles (including seventy-five for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year), of which one hundred and eighty-six 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.
25 USC 309, 309a.

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 $25,000 for the Roosevelt Campobello International Park Commission, $32,366,000.

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, $24,660,000.

CONSTRUCTION

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; $26,177,000, to remain available until expended.

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, $33,000,000, 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, $2,465,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed one hundred and three passenger motor vehicles of which ninety-four shall be for replacement only, including not to exceed sixty-one for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year.

BUREAU OF OUTDOOR RECREATION

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Outdoor Recreation, not otherwise provided for, $3,398,000.

LAND AND WATER CONSERVATION

16 USC 460*l*-4 note.

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), including $1,440,000 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 $125,000,000 of which (1) not to exceed $84,377,000 shall be available for payments to the States to be matched by the individual States with an equal amount; (2) not to exceed $21,883,000 shall be available to the National Park Service; and (3) not to exceed $17,300,000 shall be available to the Forest Service: *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 (3) shall be reduced proportionately.

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), and purchase of two passenger motor vehicles for replacement only; compensation and mileage of members of the legislatures in Guam, American Samoa, and the Virgin Islands as authorized by law (48 U.S.C. secs. 1421d(e), 1661(c), and 1572e); 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; $14,579,000, 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.

68 Stat. 503.

64 Stat. 392; 45 Stat. 1253; 73 Stat. 568.

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; $17,344,000, 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.

LIMITATION ON ADMINISTRATIVE EXPENSES, VIRGIN ISLANDS CORPORATION

During the current fiscal year the Virgin Islands Corporation is hereby authorized to make such expenditures, within the limits of funds available to it 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 liquidating its programs as set forth in the budget for the current fiscal year: *Provided*, That not to exceed $100,000 shall be available for administrative expenses (to be computed on an accrual basis) of the Corporation, covering the categories set forth in the 1966 budget estimates for such expenses.

61 Stat. 584.
31 USC 849.

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.

78 Stat. 400.
5 USC 1113.

PAYMENT TO THE ALASKA RAILROAD REVOLVING FUND

For payment to the Alaska Railroad revolving fund for authorized work of the Alaska Railroad, including repair, reconstruction, rehabilitation, or replacement of facilities, and equipment, damaged or destroyed as a result of the Alaska earthquake, $4,100,000 to remain available until expended.

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

5 USC 485 note;
43 USC 31.

49 Stat. 30.
72 Stat. 700.

publish and disseminate data relative to the foregoing activities; $71,680,870, of which $11,550,000 shall be available only for cooperation with States or municipalities for water resources investigations, and $616,000 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: *Provided further*, That the unexpended balance of the appropriation for "Salaries and expenses, Office of Minerals Exploration," shall be transferred to and merged with this appropriation.

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-three 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; $31,891,000.

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; $9,507,000.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for general administration of the Bureau of Mines; $1,529,000.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the Bureau of Mines may be expended for purchase of not to exceed seventy-one passenger motor vehicles for replacement only; providing transportation services in isolated areas for employees, student dependents of employees, and other pupils, and such activities may be financed under cooperative arrangements; 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, $16,000,000, 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), $7,220,000, to remain available until expended, of which not to exceed $356,000 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, $704,000.

FISH AND WILDLIFE SERVICE

OFFICE OF THE COMMISSIONER OF FISH AND WILDLIFE

SALARIES AND EXPENSES

For necessary expenses of the Office of the Commissioner, $444,000.

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; $21,838,000.

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, $300,000, 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, $1,980,000, 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, $5,000,000, to remain available until expended: *Provided*, That in addition, any unobligated balance as of June 30, 1965, of the amount appropriated under this head in the Supplemental Appropriation Act, 1965, shall be transferred to and merged with this appropriation.

46 USC 1401-1413.

78 Stat. 1027.

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), $4,800,000, of which not to exceed $300,000 shall be available for program administration and $400,000 shall be available 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.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for general administration of the Bureau of Commercial Fisheries, including such expenses in the regional offices, $674,000.

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 $2,454,000, 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.

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; $36,134,300.

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, $7,077,200: *Provided*, That lands or interests therein needed for the Wildlife Research Center, Jamestown, North Dakota, may be acquired by purchase, or by exchange of lands of approximately equal value.

MIGRATORY BIRD CONSERVATION ACCOUNT

75 Stat. 813.

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), $7,500,000, to remain available until expended.

GENERAL ADMINISTRATIVE EXPENSES

For expenses necessary for general administration of the Bureau of Sport Fisheries and Wildlife, including such expenses in the regional offices, $1,458,000.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the Fish and Wildlife Service shall be available for purchase of not to exceed one hundred and thirty-nine passenger motor vehicles for replacement only (including sixty-four 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 four aircraft, for replacement only; not to exceed $50,000 for payment, in the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Fish and Wildlife Service; 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; repair of damage to public roads within and adjacent to reservation areas caused by operations of the Fish and Wildlife Service; 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 Fish and Wildlife Service 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.

34 Stat. 690.

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, $20,000,000, of which not to exceed $1,100,000 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), $2,485,000, of which not to exceed $250,000 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), $5,890,000, of which not to exceed $427,000 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, $4,487,000, and in addition, not to exceed $147,000 may be reimbursed or transferred to this appropriation from other accounts available to the Department of the Interior: *Provided*, That 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, not to exceed $2,000 for official reception and representation expenses, and purchase of one passenger motor vehicle for replacement only, $4,452,200.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

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. Emergency reconstruction, etc.

SEC. 102. The Secretary may authorize the expenditure or transfer (within each bureau or office) of any appropriation in this title, in Forest or range fires.

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.

Experts or consultants, employment.

SEC. 104. Appropriations made to the Department of the Interior in this title or in the Public Works Appropriations Act, 1966 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 allowances.

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; 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; $162,318,000, 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 $680,000 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

31 USC 665.

36 Stat. 962.

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. 64 Stat. 85.

Forest research: For forest research at forest and range experiment stations, the Forest Products Laboratory, or elsewhere, as authorized by law; $36,689,000.

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; $17,513,000.

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, $78,672,000, 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 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. 58 Stat. 227.

COOPERATIVE RANGE IMPROVEMENTS

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. 64 Stat. 85.

ASSISTANCE TO STATES FOR TREE PLANTING

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. 70 Stat. 207.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed one hundred and nine passenger motor vehicles of which one hundred and one shall be for replacement only, and hire of such vehicles; operation and maintenance of aircraft and the purchase of not to exceed six 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).

58 Stat. 742.

68 Stat. 1114.

58 Stat. 742.

36 Stat. 963.

70 Stat. 1034.

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 nor shall these lands be acquired without approval of the local government concerned.

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), $71,500.

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, $123,000.

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 twenty-three passenger motor vehicles 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

42 USC 2001-2004a.

the Secretary; and the purposes set forth in section 301 (with respect to research conducted at facilities financed by this appropriation), 321, 322(d), 324, and 509 of the Public Health Service Act; $66,193,000.

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); $13,950,000, to remain available until expended.

73 Stat. 267.

ADMINISTRATIVE PROVISIONS, PUBLIC HEALTH SERVICE

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).

60 Stat. 810.

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).

68 Stat. 1114.

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.

INDIAN CLAIMS COMMISSION

SALARIES AND EXPENSES

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, $347,000, of which not to exceed $10,000 shall be available for expenses of travel.

60 Stat. 1049.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

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); $800,000.

66 Stat. 781.

NATIONAL CAPITAL TRANSPORTATION AGENCY

SALARIES AND EXPENSES

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); $490,000 to be derived by transfer from the appropriation for "Land acquisition and construction".

40 USC 661-665.

NATIONAL COUNCIL ON THE ARTS

SALARIES AND EXPENSES

78 Stat. 905.
20 USC 781 note.

For necessary expenses of the National Council on the Arts, established by Public Law 88-579, approved September 3, 1964, $50,000.

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; $18,468,000.

60 Stat. 810.
68 Stat. 1114.

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 archeological activities under the provisions of section 104(k) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704k), $1,300,000, 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.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, $1,539,000, 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), $2,248,000, to remain available until expended.

20 USC 53a.

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,

20 USC 71-75.

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; $2,465,000.

53 Stat. 577.
20 USC 74.
60 Stat. 810.
68 Stat. 1114.

CIVIL WAR CENTENNIAL COMMISSION

For expenses necessary to carry out the provisions of the Act of September 7, 1957 (71 Stat. 626), as amended (72 Stat. 1769), $100,000.

36 USC 741-749.

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.

VETERANS' ADMINISTRATION

CONSTRUCTION, CORREGIDOR-BATAAN MEMORIAL

For planning and constructing a memorial on Corregidor Island, and other expenses, as authorized by the Act of August 5, 1953, as amended (36 U.S.C. 426), $1,400,000, to remain available until expended.

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 August 2, 1946 (5 U.S.C. 55a), $25,000.

78 Stat. 1005.

TRANSITIONAL GRANTS TO ALASKA

For grants to the State of Alaska as authorized by section 44 of the Alaska Omnibus Act (75 Stat. 151), as amended, $4,500,000.

73 Stat. 151.
48 USC prec. 21 note.

FEDERAL DEVELOPMENT PLANNING COMMITTEES FOR ALASKA

SALARIES AND EXPENSES

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, services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), $174,000.

3 CFR, 1964 Supp., p. 194.

GENERAL PROVISIONS, RELATED AGENCIES

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.

60 Stat. 810.

Short title.

This Act may be cited as the "Department of the Interior and Related Agencies Appropriation Act, 1966".

Approved June 28, 1965.

Public Law 89-53

June 28, 1965
[H. R. 7717]

AN ACT

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 of 1966.

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 $5,190,396,200, as follows:

Research and development.

(a) For "Research and development," $4,536,971,000 for the following programs:

(1) Gemini, $242,100,000;
(2) Apollo, $2,967,385,000;
(3) Advanced missions, $10,000,000;
(4) Physics and astronomy, $165,900,000;
(5) Lunar and planetary exploration, $213,115,000;
(6) Bioscience, $31,500,000;
(7) Meteorological satellites, $42,700,000;
(8) Communication satellites, $2,800,000;
(9) Applications technology satellites, $28,700,000;
(10) Launch vehicle development, $63,600,000;
(11) Launch vehicle procurement, $178,700,000;
(12) Space vehicle systems, $35,000,000;
(13) Electronics systems, $34,400,000;
(14) Human factor system, $14,900,000;
(15) Basic research, $22,000,000;
(16) Nuclear-electric systems, $33,000,000;
(17) Nuclear rockets, $58,000,000;
(18) Solar and chemical power, $14,200,000;
(19) Chemical propulsion, $43,700,000;
(20) Aeronautics, $42,200,000;
(21) Tracking and data acquisition, $242,321,000;
(22) Sustaining university program, $46,000,000;
(23) Technology utilization, $4,750,000.

Construction of facilities.

(b) For "Construction of facilities," including land acquisitions, $62,376,350, as follows:

(1) Ames Research Center, Moffett Field, California, $2,749,000;
(2) Electronics Research Center, Cambridge, Massachusetts, $5,000,000;
(3) Goddard Space Flight Center, Greenbelt, Maryland, $2,400,000;
(4) John F. Kennedy Space Center, NASA, Cocoa Beach, Florida, $8,195,000;
(5) Langley Research Center, Hampton, Virginia, $8,250,000;
(6) Lewis Research Center, Cleveland and Sandusky, Ohio, $867,000;
(7) Manned Spacecraft Center, Houston, Texas, $4,180,000;

(8) George C. Marshall Space Flight Center, Huntsville, Alabama, $2,309,450;

(9) Michoud Plant, New Orleans and Slidell, Louisiana, $284,750;

(10) Mississippi Test Facility, Mississippi, $1,910,450;

(11) Wallops Station, Wallops Island, Virginia, $1,048,000;

(12) Various locations, $20,182,700;

(13) Facility planning and design not otherwise provided for, $5,000,000.

(c) For "Administrative operations," $591,048,850.

Administrative expenses.

(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 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.

Program specifications.

Notice to congressional committees.

(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 1966, 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.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), and (12), 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 $57,376,350.

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 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.

Report to congressional committees.

Use of funds, 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 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.

Geographical distribution of funds.

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.

Short title.

SEC. 6. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act of 1966".

Approved June 28, 1965.

Public Law 89-54

AN ACT

June 28, 1965
[H. R. 3165]

To authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes.

Pecos National Monument, N. Mex. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to set apart and preserve for the benefit and enjoyment of the American people a site of exceptional historic and archeological importance, the Secretary of the Interior may accept on behalf of the United States the donation of approximately three hundred and forty-two acres of land, or interests therein, including the remains and artifacts of the seventeenth century Spanish mission and ancient Indian pueblo near Pecos, New Mexico, for administration as the Pecos National Monument.

SEC. 2. The Secretary shall administer, protect, and develop the national monument 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.

Appropriation.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $500,000, as are required for construction of facilities and excavation and stabilization of the ruins in the Pecos National Monument under this Act.

Approved June 28, 1965.

Public Law 89-55

JOINT RESOLUTION

June 30, 1965
[H. J. Res. 541]

To extend the Area Redevelopment Act for a period of two months.

75 Stat. 63.
42 USC 2525.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 29 of the Area Redevelopment Act is amended by striking out "June 30, 1965." and inserting in lieu thereof "August 31, 1965."

Approved June 30, 1965.

Public Law 89-56

AN ACT

June 30, 1965
[H. R. 5988]

To provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of five years, and for other purposes.

Federal Maritime Commissioners. Term of office. 5 USC 133z-15 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Commissioners of the Federal Maritime Commission, provided for by section 102 of Reorganization Plan Numbered 7 of 1961 (75 Stat. 840), shall hereafter be appointed for a term of five years except that one of the two terms which commence July 1, 1965, shall initially be for four years and thereafter shall be for five years: *Provided, however*, That a person chosen to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he succeeds: *Provided, further*, That upon the expiration of his term of office a Commissioner shall continue to serve until his successor shall have been appointed and shall have qualified.

Approved June 30, 1965.

Public Law 89-57

June 30, 1965
[H. R. 7060]

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, 1966, and for other purposes.

Treasury, Post Office, and Executive Office Appropriation Act, 1966.

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, 1966, and for other purposes, namely:

TITLE I—TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

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; $5,874,000.

60 Stat. 810.

BUREAU OF ACCOUNTS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Accounts, $33,500,000.

BUREAU OF CUSTOMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Customs, including purchase of seventy-four passenger motor vehicles (of which sixty shall be for replacement only) including sixty-four 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); $82,250,000.

68 Stat. 1114.

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; $13,350,000.

CONSTRUCTION OF MINT FACILITIES

For expenses necessary for construction of Mint facilities, as authorized by the Act of August 20, 1963 (77 Stat. 129), $1,000,000, to remain available until expended. 31 USC 291-294.

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; $5,970,000. 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, $50,330,000.

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 thirty-two 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); $284,000,000: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and sixty 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

68 Stat. 1114.

76 Stat. 461.

64 Stat. 1100.

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.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

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); $115,510,000, 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.

60 Stat. 810.

RETIRED PAY

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, $40,000,000.

70A Stat. 108. 10 USC 1431-1446.

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; $22,500,000: *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; $17,600,000.

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 $17,500,000 for temporary employment and not to exceed $77,000 for salaries of personnel engaged in pre-employment training of card punch operator applicants; $159,600,000.

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; $439,000,000. 60 Stat. 810.

OFFICE OF THE TREASURER

SALARIES AND EXPENSES

For necessary expenses of the Office of the Treasurer, $6,350,000.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase (not to exceed one hundred and twenty-five for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year, of which twenty-four are for replacement only) 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); $12,105,000.

SALARIES AND EXPENSES, WHITE HOUSE POLICE

For necessary expenses of the White House Police, including uniforms and equipment, $1,866,000.

SALARIES AND EXPENSES, GUARD FORCE

For necessary expenses of the guard force for Treasury Department buildings in the District of Columbia, including purchase, repair, and cleaning of uniforms, $434,000.

This title may be cited as the "Treasury Department Appropriation Act, 1966". 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 74 Stat. 594.

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:

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 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; $86,500,000: *Provided*, That hereafter settlement of claims, pursuant to law, current and prior fiscal years, for damages, and for losses resulting from unavoidable casualty shall be paid from postal revenues.

68 Stat. 1114.
60 Stat. 810.

RESEARCH, DEVELOPMENT, AND ENGINEERING

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), $12,000,000, to remain available until expended.

OPERATIONS

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; $4,304,900,000: *Provided*, That not to exceed 2½ per centum of any appropriation available to the Post Office Department for the current fiscal year may be transferred, with the approval of the Bureau of the Budget, to any other such appropriation or appropriations; but the appropriation "Administration and regional operation" shall not be increased by more than $1,000,000 as a result of such transfers: *Provided further*, 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, $595,000,000.

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; $221,000,000. 68 Stat. 1114.

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, $105,000,000: *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, 1966." 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 60 Stat. 810.

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; $2,855,000.

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 10 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.

EXECUTIVE MANSION AND GROUNDS

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Mansion and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of this or any other Act, $694,000.

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), $7,973,000.

60 Stat. 810.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $723,000.

60 Stat. 23.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

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, $660,000.

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, 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, $250,000, 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.

60 Stat. 810.

31 USC 665.

This title may be cited as the "Executive Office Appropriation Act, 1966."

Citation of title.

TITLE IV—INDEPENDENT AGENCIES

TAX COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses, including contract stenographic reporting services, $2,190,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, established by the Administrative Conference Act (78 Stat. 615), $250,000.

5 USC 1045-1045e.

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), $410,000.

5 USC 2371-2378.

PRESIDENT'S ADVISORY COMMITTEE ON LABOR-MANAGEMENT POLICY

For necessary expenses of the President's Advisory Committee on Labor-Management Policy, established by Executive Order 10918 of February 16, 1961, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals

3 CFR 1959-1963 Comp., p. 445.

not to exceed $100 per diem, and $30 per diem in lieu of subsistence for members of the Committee while away from their homes or regular places of business, $150,000.

TITLE V—FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MONETARY FUND

INCREASE IN QUOTA, INTERNATIONAL MONETARY FUND

To finance an increase in the quota of the United States in the International Monetary Fund, $1,035,000,000 to be available from June 2, 1965, and to remain available until expended.

Short title.

This Act may be cited as the "Treasury, Post Office, and Executive Office Appropriation Act, 1966".

Approved June 30, 1965.

Public Law 89-58

June 30, 1965
[H. J. Res. 553]

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1966, and for other purposes.

Continuing appropriations, 1966.

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 1966, 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 1965 and for which appropriations, funds, or other authority would be available in the following appropriation Acts for the fiscal year 1966:

District of Columbia Appropriation Act;

Treasury-Post Office Departments and Executive Office Appropriation Act;

Legislative Branch Appropriation Act;

Departments of Labor and Health, Education, and Welfare Appropriation Act;

Department of Defense Appropriation Act;

Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act;

Department of Agriculture and Related Agencies Appropriation Act;

Independent Offices Appropriation Act; and

Public Works 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 1965, 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 1965 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:

Equal Employment Opportunity Commission;

Economic Opportunity Program;

Interoceanic Canal Commission;

Foreign assistance and other activities for which provision was made in the Foreign Assistance and Related Agencies Appropriation Act, 1965; 78 Stat. 1015.

Activities for which provision was made in the Military Construction Appropriation Act, 1965; 78 Stat. 887.

Department of Commerce: Mobile Trade Fair activities;

Department of Health, Education, and Welfare:

Grants for family health service clinics for domestic agricultural migratory workers under section 310 of the Public Health Service Act, as amended; 76 Stat. 592. 42 USC 242h.

Grants for intensive vaccination programs under section 317 of the Public Health Service Act, as amended; and 76 Stat. 1155. 42 USC 247b.

Activities under sections 3, 4 and 5 of the Juvenile Delinquency and Youth Offenses Control Act of 1961, as amended. 75 Stat. 572. 42 USC 2542-2544.

(c) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1965 and are listed in this subsection at a rate for operations not in excess of the current rate:

Department of Commerce: Area Redevelopment activities;

Department of Health, Education, and Welfare: Activities authorized by section 105 of the Higher Education Facilities Act of 1963. 77 Stat. 367. 20 USC 715.

(d) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, and the Senate items under the Architect of the Capitol, to the extent and in the manner which would be provided for in the budget estimates for the fiscal year 1966.

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 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) July 31, 1965, 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 1965. 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, 1965.

Public Law 89-59

June 30, 1965
[S. 1796]

AN ACT

To amend the Small Business Act to provide additional assistance for disaster victims.

Small Business Act, amendment. Additional disaster assistance. 72 Stat. 389. 15 USC 636.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 7(b) of the Small Business Act is amended by striking out "twenty years.", in the second sentence, and inserting in lieu thereof the following: "thirty years: *Provided*, That the Administrator may consent to a suspension in the payment of principal and interest charges on, and to an extension in the maturity of, the Federal share of any loan under this subsection for a period of not to exceed five years, if (A) the borrower under such loan is a homeowner or a small-business concern, (B) the loan was made to enable (i) such homeowner to repair or replace his home, or (ii) such concern to repair or replace plant or equipment which was damaged or destroyed as the result of a disaster meeting the requirements of clause (A) or (B) of paragraph (2) of this subsection, and (C) the Administrator determines such action is necessary to avoid severe financial hardship: *Provided further*, That the provisions of paragraph (1) of subsection (c) of this section shall not be applicable to any such loan having a maturity in excess of twenty years."

(b) Section 7(c) of such Act is amended by inserting "(1)" after "(c)", and by adding at the end thereof a new paragraph as follows:

"(2) During any period in which principal and interest charges are suspended on the Federal share of any loan, as provided in subsection (b), the Administrator shall, upon the request of any person, firm, or corporation having a participation in such loan, purchase such participation, or assume the obligation of the borrower, for the balance of such period, to make principal and interest payments on the non-Federal share of such loan: *Provided*, That no such payments shall be made by the Administrator in behalf of any borrower unless (i) the Administrator determines that such action is necessary in order to avoid a default, and (ii) the borrower agrees to make pay-

ments to the Administration in an aggregate amount equal to the amount paid in its behalf by the Administrator, in such manner and at such times (during or after the term of the loan) as the Administrator shall determine having due regard to the purposes sought to be achieved by this paragraph."

(c) Section 4(c) of such Act is amended by—

(1) inserting "7(c)(2)," after "7(b)," in the first sentence;

(2) inserting "and 7(c)(2)" after "7(b)" where "7(b)" first appears in the fourth sentence; and

(3) deleting "section 7(b)" from clause (2) in the fourth sentence and inserting "sections 7(b) and 7(c)(2)".

76 Stat. 220.
15 USC 633.

SEC. 2. Section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,666,000,000" and inserting in lieu thereof "$1,716,000,000"; and

(2) by striking out "$1,325,000,000" and inserting in lieu thereof "$1,375,000,000".

Approved June 30, 1965.

Public Law 89-60

AN ACT

June 30, 1965
[H. R. 6032]

To amend the Act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (Act of August 16, 1962; 76 Stat. 388).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act to authorize the Secretary of the Interior to construct, operate, and maintain the Mann Creek Federal reclamation project, Idaho, and for other purposes", approved August 16, 1962 (76 Stat. 388; 43 U.S.C. 616j), is amended by striking out "$3,490,000 (April 1961 prices)" and inserting in lieu thereof $4,180,000 (January 1965 prices) including $120,000 heretofore appropriated for preauthorization investigations, plus or minus such amounts, if any, as may be required by reasons of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes."

Mann Creek Federal reclamation project, Idaho. Appropriation authorization, increase.

Approved June 30, 1965.

Public Law 89-61

AN ACT

June 30, 1965
[H. R. 4493]

To continue until the close of June 30, 1967, the existing suspension of duties for metal scrap.

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 911.10, 911.11, and 911.12 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 433, Aug. 17, 1963) is amended by striking out "On or before 6/30/65" and inserting in lieu thereof "On or before 6/30/67".

Metal scrap. Duty suspension.

77A Stat. 433.
78 Stat. 222.
19 USC 1202.

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1965.

Approved June 30, 1965.

Public Law 89-62

June 30, 1965
[H. R. 8147]

AN ACT

To amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

Returning U.S. residents.
Exemption from duty, decrease.

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 813.31 (77A Stat. 413) of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 Fed. Reg., part II, Aug. 17, 1963; 19 U.S.C., sec. 1202) is amended by striking out all after "Articles" and inserting in lieu thereof the following: "not over $100 (or $200 in the case of persons arriving directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States, not more than $100 of which shall have been acquired elsewhere than in such insular possessions) in aggregate fair retail value in the country of acquisition, if such person arrives from the Virgin Islands of the United States or from a contiguous country which maintains a free zone or free port, or arrives from any other country after having remained beyond the territorial limits of the United States for a period of not less than 48 hours, and in either case has not claimed an exemption under this item (813.31) or under item 915.30 within the 30 days immediately preceding his arrival".

77A Stat. 434.
Alcoholic beverage allowance.

(b) Item 813.30 (77A Stat. 413) of such title I is amended by striking out "(including not more than 1 wine gallon of alcoholic beverages and not more than 100 cigars)" and inserting in lieu thereof "accompanying such person, including (but only in the case of an individual who has attained the age of 21) not more than 1 quart of alcoholic beverages (or 1 wine gallon of such beverages if such individual arrives directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States, not more than 1 quart of which shall have been acquired elsewhere than in such insular possessions) and including not more than 100 cigars,".

Repeal.

(c) (1) Item 813.32 (77A Stat. 413) of such title I is repealed.

(2) Item 813.40 (77A Stat. 413) of such title I is amended by striking out "or 813.32".

(3) Headnote 1(a) (77A Stat. 411) for subpart A of part 2 of schedule 8 of such title I is amended by striking out "or any article which has been exempted from duty under item 813.32".

Fair retail value on gifts, other exemptions.
67 Stat. 515.

SEC. 2. Subdivision (2) of subsection (a) of section 321 of the Tariff Act of 1930, as amended (19 U.S.C. 1321(a)(2)), is amended by striking out "value" and inserting in lieu thereof "fair retail value in the country of shipment", and by striking out "exemption from duty or tax under paragraph 1798(b)(2) or (c)(2)" and inserting in lieu thereof "exemption from duty under item 812.25 or 813.31 of title I".

Temporary provisions, extension.

SEC. 3. Item 915.30 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 Fed. Reg., part II, Aug. 17, 1963; 19 U.S.C. sec. 1202) is amended by striking out "July 1, 1965" and inserting "October 1, 1965".

Effective dates.

SEC. 4. The amendments made by the first section of this Act shall apply with respect to persons arriving in the United States on or after October 1, 1965. The amendments made by section 2 shall apply with respect to articles arriving in the United States on or after October 1, 1965. The amendment made by section 3 shall apply with respect to persons arriving in the United States after the date of the enactment of this Act.

Approved June 30, 1965.

Public Law 89-63

AN ACT

June 30, 1965
[H. R. 7105]

To provide for continuation of authority for regulation of exports, 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 12 of the Export Control Act of 1949 (50 U.S.C. App. 2032) is amended by changing "1965" to read "1969".

Export Control Act of 1949, amendment. 63 Stat. 9; 76 Stat. 127.

SEC. 2. Section 5 of the Export Control Act of 1949 (50 U.S.C. App. 2025) is amended by adding at the end thereof the following new subsections:

"(c) The head of any department or agency exercising any functions under this Act, or any officer or employee of such department or agency specifically designated by the head thereof, may impose a civil penalty not to exceed $1,000 for each violation of this Act or any regulation, order, or license issued under this Act, either in addition to or in lieu of any other liability or penalty which may be imposed.

Violations; penalties.

"(d) The payment of any penalty imposed pursuant to subsection (c) may be made a condition, for a period not exceeding one year after the imposition of such penalty, to the granting, restoration, or continuing validity of any export license, permission, or privilege granted or to be granted to the person upon whom such penalty is imposed.

"(e) Any amount paid in satisfaction of any penalty imposed pursuant to subsection (c) shall be covered into the Treasury as a miscellaneous receipt. The head of the department or agency concerned may, in his discretion, refund any such penalty, within two years after payment, on the ground of a material error of fact or law in the imposition. Notwithstanding section 1346(a) of title 28 of the United States Code, no action for the refund of any such penalty may be maintained in any court.

62 Stat. 933; 68 Stat. 589.

"(f) In the event of the failure of any person to pay a penalty imposed pursuant to subsection (c), a civil action for the recovery thereof may, in the discretion of the head of the department or agency concerned, be brought in the name of the United States. In any such action, the court shall determine de novo all issues necessary to the establishment of liability. Except as provided in this subsection and in subsection (d), no such liability shall be asserted, claimed, or recovered upon by the United States in any way unless it has previously been reduced to judgment.

"(g) Nothing in subsection (c), (d), or (f) shall limit—

"(1) the availability of other administrative or judicial remedies with respect to violations of this Act or any regulation, order, or license issued under this Act,

"(2) the authority to compromise and settle administrative proceedings brought with respect to violations of this Act or any regulation, order, or license issued under this Act, or

"(3) the authority to compromise, remit, or mitigate seizures and forfeitures pursuant to section 1(b) of title VI of the Act of June 15, 1917 (22 U.S.C. 401(b))."

67 Stat. 577.

SEC. 3. (a) Section 2 of the Export Control Act of 1949 (50 U.S.C. App. 2022) is amended (1) by redesignating clauses (a), (b), and (c) in the first sentence as (A), (B), and (C), (2) by inserting "(1)" at the beginning of the first, "(2)" at the beginning of the second, and "(3)" at the beginning of the third typographical paragraph thereof, and (3) by adding at the end thereof the following new paragraph:

63 Stat. 7; 76 Stat. 127.

"(4) The Congress further declares that it is the policy of the United States (A) to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries

friendly to the United States and (B) to encourage and request domestic concerns engaged in the export of articles, materials, supplies, or information, to refuse to take any action, including the furnishing of information or the signing of agreements, which has the effect of furthering or supporting the restrictive trade practices or boycotts fostered or imposed by any foreign country against another country friendly to the United States."

(b) Section 3(c) of such Act is amended by changing "clause (b) or clause (c) of section 2 hereof" to read "section 2(1)(B) or 2(1)(C) of this Act".

63 Stat. 7; 76 Stat. 127.

SEC. 4. (a) The first and last sentences of section 3(a) of such Act (50 U.S.C. App. 2023(a)) are amended by inserting immediately after "technical data" the following: "or any other information".

(b) Section 4(a) of such Act (50 U.S.C. App. 2024(a)) is amended (1) by changing "which articles, materials, or supplies" to read "what" and (2) by striking out "thereof".

(c) Section 5(b) of such Act (50 U.S.C. App. 2025 (b)) is amended by changing "any material" to read "anything".

(d) Section 3(a) of such Act is further amended by adding at the end thereof the following new sentence: "Such rules and regulations shall implement the provisions of section 2(4) of this Act and shall require that all domestic concerns receiving requests for the furnishing of information or the signing of agreements as specified in section 2(4) must report this fact to the Secretary of Commerce for such action as he may deem appropriate to carry out the purposes of section 2(4)."

Publication in Federal Register.

(e) Rules and regulations required to be promulgated pursuant to the amendment made by subsection (d) of this section shall be promulgated as expeditiously as practicable, and shall be published in the Federal Register within ninety days after the date of enactment of this Act.

Approved June 30, 1965.

Public Law 89-64

July 7, 1965 [H. R. 6848]

AN ACT

To amend section 35 of title 18 of the United States Code relating to the imparting or conveying of false information.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 35 of title 18 of the United States Code is amended to read as follows:

75 Stat. 751.

"(a) Whoever imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by this chapter or chapter 97 or chapter 111 of this title shall be subject to a civil penalty of not more than $1,000 which shall be recoverable in a civil action brought in the name of the United States."

18 USC 1991, 2271.

Approved July 7, 1965.

Public Law 89-65

AN ACT

July 7, 1965
[H. R. 3994]

To remove the present $5,000 limitation which prevents the Secretary of the Air Force from settling and paying certain claims arising out of the crash of a United States aircraft at Wichita, Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the $5,000 limitation contained in section 2733 of title 10, United States Code, shall not apply with respect to claims arising out of the crash of a United States Air Force aircraft at Wichita, Kansas, on January 16, 1965.

U.S. Air Force. Settlement of certain claims. 70A Stat. 153; 72 Stat. 813.

SEC. 2. With respect to claims filed as a result of an aircraft crash described in the first section of this Act, the Secretary of the Air Force shall, within thirty months after the date of the enactment of this Act, report to Congress on—

Report to Congress.

(1) each claim settled and paid by him under 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 under this Act which has not been settled, with supporting papers and a statement of findings of facts and recommendations with respect to each such claim.

SEC. 3. Payments made pursuant to this Act for death, personal injury, and property loss claims shall not be subject to insurance subrogation claims in any respect. No payments made pursuant to this Act shall include any amount for reimbursement to any insurance company or compensation insurance fund for loss payments made by such company or fund.

SEC. 4. No part of the amounts awarded under 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 these claims, 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.

Penalty.

Approved July 7, 1965.

Public Law 89-66

AN ACT

July 7, 1965
[H. R. 4525]

To amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subsection (c) of section 212(B) of title II of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1122b(c)), is amended by striking out "three" and "June 30, 1965" and inserting in lieu thereof "six" and "June 30, 1968" respectively.

76 Stat. 1074.

Approved July 7, 1965.

Public Law 89-67

July 7, 1965
[H. R. 3996]

AN ACT

To amend provisions of law relating to the settlement of admiralty claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 4802 (c), 4803(c), 7622(c), 7623(c), 9802(c), and 9803(c) of title 10, United States Code, are each amended by striking out the figure "$1,000" and inserting the figure "$10,000" in place thereof.

70A Stat. 271, 472, 592.

Approved July 7, 1965.

Public Law 89-68

July 7, 1965
[H. R. 6507]

AN ACT

To make section 1952 of title 18, United States Code, applicable to travel in aid of arson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) (2) of section 1952 of title 18, United States Code, is amended to read as follows:

75 Stat. 499.

"(2) extortion, bribery, or arson in violation of the laws of the State in which committed or of the United States."

Approved July 7, 1965.

Public Law 89-69

July 8, 1965
[H. R. 8131]

AN ACT

To extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Juvenile Delinquency and Youth Offenses Control Act of 1961 is amended to read as follows:

Juvenile delinquency.
78 Stat. 309.
42 USC 2545.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. For the purpose of carrying out the program provided for in the preceding sections of this Act during the period ending June 30, 1967, there is hereby authorized to be appropriated to the Secretary for the fiscal year ending June 30, 1962, and each of the three succeeding fiscal years, the sum of $10,000,000, for the fiscal year ending June 30, 1966, the sum of $6,500,000, and for the fiscal year ending June 30, 1967, the sum of $10,000,000."

Approved July 8, 1965.

Public Law 89-70

AN ACT

July 8, 1965
[H. R. 5283]

To provide for the inclusion of years of service as judge of the District Court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the United States District Court for the District 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 provision of law, any service as a judge of the District Court for the Territory of Alaska shall be included in computing under sections 371 and 372 of title 28, United States Code, the aggregate years of judicial service of a United States district judge for the district of Alaska.

68 Stat. 12;
71 Stat. 586.

Approved July 8, 1965.

Public Law 89-71

AN ACT

July 9, 1965
[H. R. 3415]

To equalize certain penalties in the Intercoastal Shipping Act, 1933.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of section 2 of the Intercoastal Shipping Act, 1933 (46 U.S.C. 844), is hereby amended to read as follows:

47 Stat. 1425.

"Whoever violates any provision of this section shall be liable to a penalty of not more than $1,000 for each day such violation continues, to be recovered by the United States in a civil action."

Approved July 9, 1965.

Public Law 89-72

AN ACT

July 9, 1965
[S. 1229]

To provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes.

Federal Water Project Recreation Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of the Congress and the intent of this Act that (a) in investigating and planning any Federal navigation, flood control, reclamation, hydroelectric, or multiple-purpose water resource project, full consideration shall be given to the opportunities, if any, which the project affords for outdoor recreation and for fish and wildlife enhancement and that, wherever any such project can reasonably serve either or both of these purposes consistently with the provisions of this Act, it shall be constructed, operated, and maintained accordingly; (b) planning with respect to the development of the recreation potential of any such project shall be based on the coordination of the recreational use of the project area with the use of existing and planned Federal, State, or local public recreation developments; and (c) project construction agencies shall encourage non-Federal public bodies to administer project land and water areas for recreation and fish and wildlife enhancement purposes and operate, maintain, and replace facilities provided for those purposes unless such areas or facilities are included or proposed for inclusion within a national recreation area, or are appropriate for administration by a Federal agency as a

part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

Non-Federal public bodies. Project administration.

SEC. 2. (a) If, before authorization of a project, non-Federal public bodies indicate their intent in writing to agree to administer project land and water areas for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and to bear not less than one-half the separable costs of the project allocated to either or both of said purposes, as the case may be, and all the costs of operation, maintenance, and replacement incurred therefor—

(1) the benefits of the project to said purpose or purposes shall be taken into account in determining the economic benefits of the project;

(2) costs shall be allocated to said purpose or purposes and to other purposes in a manner which will insure that all project purposes share equitably in the advantages of multiple-purpose construction: *Provided*, That the costs allocated to recreation or fish and wildlife enhancement shall not exceed the lesser of the benefits from those functions or the costs of providing recreation or fish and wildlife enhancement benefits of reasonably equivalent use and location by the least costly alternative means; and

(3) not more than one-half the separable costs and all the joint costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by the United States and be non-reimbursable.

Projects for 1965, exception.

Projects authorized during the calendar year 1965 may include recreation and fish and wildlife enhancement on the foregoing basis without the required indication of intent. Execution of an agreement as aforesaid shall be a prerequisite to commencement of construction of any project to which this subsection is applicable.

Non-Federal share of costs.

(b) The non-Federal share of the separable costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the head of the Federal agency having jurisdiction over the project: (1) payment, or provision of lands, interests therein, or facilities for the project; or (2) repayment, with interest at a rate comparable to that for other interest-bearing functions of Federal water resource projects, within fifty years of first use of project recreation or fish and wildlife enhancement facilities: *Provided*, That the source of repayment may be limited to entrance and user fees or charges collected at the project by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiation at intervals of not more than five years.

Non-reimbursable costs.

SEC. 3. (a) No facilities or project modifications which will furnish recreation or fish and wildlife enhancement benefits shall be provided in the absence of the indication of intent with respect thereto specified in subsection 2(a) of this Act unless (1) such facilities or modifications serve other project purposes and are justified thereby without regard to such incidental recreation or fish and wildlife enhancement benefits as they may have or (2) they are minimum facilities which are required for the public health and safety and are located at access points provided by roads existing at the time of project construction or constructed for the administration and management of the project. Calculation of the recreation and fish and wildlife enhancement benefits

in any such case shall be based on the number of visitor-days anticipated in the absence of recreation and fish and wildlife enhancement facilities or modifications except as hereinbefore provided and on the value per visitor-day of the project without such facilities or modifications. Project costs allocated to recreation and fish and wildlife enhancement on this basis shall be nonreimbursable.

Provisions for acquisition of lands.

(b) Notwithstanding the absence of an indication of intent as specified in subsection 2(a), lands may be provided in connection with project construction to preserve the recreation and fish and wildlife enhancement potential of the project:

(1) If non-Federal public bodies execute an agreement within ten years after initial operation of the project (which agreement shall provide that the non-Federal public bodies will administer project land and water areas for recreation or fish and wildlife enhancement or both pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and will bear not less than one-half the costs of lands, facilities, and project modifications provided for either or both of those purposes, as the case may be, and all costs of operation, maintenance, and replacement attributable thereto) the remainder of the costs of lands, facilities, and project modifications provided pursuant to this paragraph shall be nonreimbursable. Such agreement and subsequent development, however, shall not be the basis for any reallocation of joint costs of the project to recreation or fish and wildlife enhancement.

(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph (1) of this subsection, the head of the agency having jurisdiction over the project may utilize the lands for any lawful purpose within the jurisdiction of his agency, or may offer the land for sale to its immediate prior owner or his immediate heirs at its appraised fair market value as approved by the head of the agency at the time of offer or, if a firm agreement by said owner or his immediate heirs is not executed within ninety days of the date of the offer, may transfer custody of the lands to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case except that of an offer to purchase made, as hereinbefore provided, by the prior owner or his heirs preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

Lease of facilities and lands to non-Federal public bodies.

SEC. 4. At projects, the construction of which has commenced or been completed as of the effective date of this Act, where non-Federal public bodies agree to administer project land and water areas for recreation and fish and wildlife enhancement purposes and to bear the costs of operation, maintenance, and replacement of existing facilities serving those purposes, such facilities and appropriate project lands may be leased to non-Federal public bodies.

SEC. 5. Nothing herein shall be construed as preventing or discouraging postauthorization development of any project for recreation or fish and wildlife enhancement or both by non-Federal public bodies pursuant to agreement with the head of the Federal agency having jurisdiction over the project. Such development shall not be the basis

for any allocation or reallocation of project costs to recreation or fish and wildlife enhancement.

Outdoor recreation provisions. 16 USC 460l-2.

SEC. 6. (a) The views of the Secretary of the Interior developed in accordance with section 3 of the Act of May 28, 1963 (77 Stat. 49), with respect to the outdoor recreation aspects shall be set forth in any report of any project or appropriate unit thereof within the purview of this Act. Such views shall include a report on the extent to which the proposed recreation and fish and wildlife development conforms to and is in accord with the State comprehensive plan developed pursuant to subsection 5(d) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897).

16 USC 460l-8.

Wildlife project costs.

(b) The first proviso of subsection 2(d) of the Act of August 12, 1958 (72 Stat. 563; 16 U.S.C. 662(d)), is amended to read as follows: "*Provided*, That such cost attributable to the development and improvement of wildlife shall not extend beyond that necessary for (1) land acquisition, (2) facilities as specifically recommended in water resource project reports, (3) modification of the project, and (4) modification of project operations, but shall not include the operation of wildlife facilities." The second proviso of subsection 2(d) of said Act is hereby repealed.

Repeal.

Migratory waterfowl refuges, establishment.

(c) Expenditures for lands or interests in lands hereafter acquired by project construction agencies for the establishment of migratory waterfowl refuges recommended by the Secretary of the Interior at Federal water resource projects, when such lands or interests in lands would not have been acquired but for the establishment of a migratory waterfowl refuge at the project, shall not exceed $28,000,000: *Provided*, That the aforementioned expenditure limitation in this subsection shall not apply to the costs of mitigating damages to migratory waterfowl caused by such water resource project.

Nonapplicability provisions.

70 Stat. 1044. 43 USC 422k. 68 Stat. 666. 16 USC 1001 note.

(d) This Act shall not apply to the Tennessee Valley Authority, nor to projects constructed under authority of the Small Reclamation Projects Act, as amended, or under authority of the Watershed Protection and Flood Prevention Act, as amended.

(e) Sections 2, 3, 4, and 5 of this Act shall not apply to nonreservoir local flood control projects, beach erosion control projects, small boat harbor projects, hurricane protection projects, or to project areas or facilities authorized by law for inclusion within a national recreation area or appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

"Nonreimbursable."

(f) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

16 USC 460l-9.

(g) Subsection 6(a)(2) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) shall not apply to costs allocated to recreation and fish and wildlife enhancement which are borne by the United States as a nonreimbursable project cost pursuant to subsection 2(a) or subsection 3(b)(1) of this Act.

Disposition of payments and repayments.

(h) All payments and repayment by non-Federal public bodies under the provisions of this Act shall be deposited in the Treasury as miscellaneous receipts, and revenue from the conveyance by deed, lease, or otherwise, of lands under subsection 3(b)(2) of this Act shall be deposited in the Land and Water Conservation Fund.

Reservoir projects.

32 Stat. 388. 43 USC 371 note.

SEC. 7. (a) The Secretary is authorized, in conjunction with any reservoir heretofore constructed by him pursuant to the Federal reclamation laws or any reservoir which is otherwise under his control, except reservoirs within national wildlife refuges, to investigate, plan,

construct, operate and maintain, or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, and to provide for public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes: *Provided*, That not more than $100,000 shall be available to carry out the provisions of this subsection at any one reservoir. Lands, facilities and project modifications for the purposes of this subsection may be provided only after an agreement in accordance with subsection 3(b) of this Act has been executed.

Limitation.

(b) The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operation, maintenance, and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease agreement or exchange upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

Agreements with Federal agencies, etc.

(c) No lands under the jurisdiction of any other Federal agency may be included for or devoted to recreation or fish and wildlife purposes under the authority of this section without the consent of the head of such agency; and the head of any such agency is authorized to transfer any such lands to the jurisdiction of the Secretary of the Interior for purposes of this section. The Secretary of the Interior is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes; and such transfer shall be made in each case in which the project reservoir area is located wholly within the exterior boundaries of a national forest unless the Secretaries of Agriculture and Interior jointly determine otherwise. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided*, That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation or fish and wildlife development in connection with water resource projects or to disposition of public lands for such purposes.

Transfer of lands.

SEC. 8. Effective on and after July 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law, any other provision of law to the contrary notwithstanding.

Feasibility reports.

SEC. 9. Nothing contained in this Act shall be taken to authorize or to sanction the construction under the Federal reclamation laws or under any Rivers and Harbors or Flood Control Act of any project in which the sum of the allocations to recreation and fish and wildlife enhancement exceeds the sum of the allocations to irrigation, hydroelectric power, municipal, domestic and industrial water supply, navigation, and flood control, except that this section shall not apply to

Project allocations.
32 Stat. 388.
43 USC 371 note.

any such project for the enhancement of anadromous fisheries, shrimp, or for the conservation of migratory birds protected by treaty, when each of the other functions of such a project has, of itself, a favorable benefit-cost ratio.

Definitions.

SEC. 10. As used in this Act:

(a) The term "project" shall mean a project or any appropriate unit thereof.

(b) The term "separable costs," as applied to any project purpose, means the difference between the capital cost of the entire multiple-purpose project and the capital cost of the project with the purpose omitted.

(c) The term "joint costs" means the difference between the capital cost of the entire multiple-purpose project and the sum of the separable costs for all project purposes.

(d) The term "feasibility report" shall mean any report of the scope required by the Congress when formally considering authorization of the project of which the report treats.

(e) The term "capital cost" includes interest during construction, wherever appropriate.

Entrance and user fees. 16 USC 460*l*-5.

SEC. 11. Section 2, subsection (a) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) is hereby amended by striking out the words "notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury:" and inserting in lieu thereof the words "notwithstanding any other provision of law:" and by striking out the words "or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law" and inserting in lieu thereof "or affect any contract heretofore entered into by the United States that provides that such revenues collected at particular Federal areas shall be credited to specific purposes".

Short title.

SEC. 12. This Act may be cited as the "Federal Water Project Recreation Act".

Approved July 9, 1965.

Public Law 89-73

July 14, 1965 [H. R. 3708]

AN ACT

To provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging".

Older Americans 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 "Older Americans Act of 1965".

TITLE I—DECLARATION OF OBJECTIVES: DEFINITIONS

DECLARATION OF OBJECTIVES FOR OLDER AMERICANS

SEC. 101. The Congress hereby finds and declares that, in keeping with the traditional American concept of the inherent dignity of the individual in our democratic society, the older people of our Nation are entitled to, and it is the joint and several duty and responsibility of the governments of the United States and of the several States and their political subdivisions to assist our older people to secure equal opportunity to the full and free enjoyment of the following objectives:

(1) An adequate income in retirement in accordance with the American standard of living.

(2) The best possible physical and mental health which science can make available and without regard to economic status.

(3) Suitable housing, independently selected, designed and located with reference to special needs and available at costs which older citizens can afford.

(4) Full restorative services for those who require institutional care.

(5) Opportunity for employment with no discriminatory personnel practices because of age.

(6) Retirement in health, honor, dignity—after years of contribution to the economy.

(7) Pursuit of meaningful activity within the widest range of civic, cultural, and recreational opportunities.

(8) Efficient community services which provide social assistance in a coordinated manner and which are readily available when needed.

(9) Immediate benefit from proven research knowledge which can sustain and improve health and happiness.

(10) Freedom, independence, and the free exercise of individual initiative in planning and managing their own lives.

DEFINITIONS

SEC. 102. For the purposes of this Act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare;

(2) The term "Commissioner" means the Commissioner of the Administration on Aging.

(3) The term "State" includes the District of Columbia, the Virgin Islands, Puerto Rico, Guam, and American Samoa.

(4) The term "nonprofit institution or organization" means an institution or organization which 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.

TITLE II—ADMINISTRATION ON AGING

ESTABLISHMENT OF ADMINISTRATION

SEC. 201. (a) There is hereby established within the Department of Health, Education, and Welfare an Administration to be known as the Administration on Aging (hereinafter referred to as the "Administration").

Commissioner on Aging. Appointment by President.

(b) The Administration shall be under the direction of a Commissioner on Aging to be appointed by the President by and with the advice and consent of the Senate.

FUNCTIONS OF OFFICE

SEC. 202. It shall be the duty and function of the Administration to—

(1) serve as a clearinghouse for information related to problems of the aged and aging;

(2) assist the Secretary in all matters pertaining to problems of the aged and aging;

(3) administer the grants provided by this Act;

(4) develop plans, conduct and arrange for research and demonstration programs in the field of aging;

(5) provide technical assistance and consultation to States and political subdivisions thereof with respect to programs for the aged and aging;

(6) prepare, publish, and disseminate educational materials dealing with the welfare of older persons;

(7) gather statistics in the field of aging which other Federal agencies are not collecting; and

(8) stimulate more effective use of existing resources and available services for the aged and aging.

TITLE III—GRANTS FOR COMMUNITY PLANNING, SERVICES, AND TRAINING

AUTHORIZATION OF APPROPRIATIONS

SEC. 301. The Secretary shall carry out during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years, a program of grants to States in accordance with this title. There are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1966, and $8,000,000 for the fiscal year ending June 30, 1967, and for the fiscal year ending June 30, 1968, and each of the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law, for—

(1) community planning and coordination of programs for carrying out the purposes of this Act;

(2) demonstrations of programs or activities which are particularly valuable in carrying out such purposes;

(3) training of special personnel needed to carry out such programs and activities; and

(4) establishment of new or expansion of existing programs to carry out such purposes, including establishment of new or expansion of existing centers providing recreational and other leisure time activities, and informational, health, welfare, counseling, and referral services for older persons and assisting such persons in providing volunteer community or civic services; except that no costs of construction, other than for minor alterations and repairs, shall be included in such establishment or expansion.

ALLOTMENTS

SEC. 302. (a) (1) From the sum appropriated for a fiscal year under section 301 (A) the Virgin Islands, Guam, and American Samoa shall be allotted an amount equal to one-half of 1 per centum of such sum and (B) each other State shall be allotted an amount equal to 1 per centum of such sum.

(2) From the remainder of the sum so appropriated for a fiscal year each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in such State bears to the population aged sixty-five or over in all of the States, as determined by the Secretary on the basis of the most recent information available to him, including any relevant data furnished to him by the Department of Commerce.

(3) A State's allotment for a fiscal year under this title shall be equal to the sum of the amounts allotted to it under paragraphs (1) and (2).

Reallotments.

(b) The amount of any allotment to a State under subsection (a) for any fiscal year which the State notifies the Secretary will not be required for carrying out the State plan (if any) approved under this title shall be available for reallotment from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in carrying out their State plans so approved for sums in excess of those previously allotted to them under subsection (a) and (2) will be able to use such excess amounts for projects approved by the State during the period for which the original allotment was available. Such reallotments shall be made on the basis of the State plans so approved, after taking into consideration the population aged sixty-five or over. Any amount so reallotted to a State shall be deemed part of its allotment under subsection (a).

Allotments available for grants.

(c) The allotment of any State under subsection (a) for any fiscal year shall be available for grants to pay part of the cost of projects in such State described in section 301 and approved by such State (in accordance with its State plan approved under section 303) prior to the end of such year or, in the case of allotments for the fiscal year ending June 30, 1966, prior to July 1, 1967. To the extent permitted by the State's allotment under this section such payments with respect to any project shall equal 75 per centum of the cost of such project for the first year of the duration of such project, 60 per centum of such cost for the second year of such project, and 50 per centum of such

cost for the third year of such project; except that (1) at the request of the State, such payments shall be less (to the extent requested) than such percentage of the cost of such project, and (2) grants may not be made under this title for any such project for more than three years or for any period after June 30, 1972.

Grants, time limitation.

STATE PLANS

SEC. 303. (a) The Secretary shall approve a State plan for purposes of this title which—

State agency. Administration of plan.

(1) establishes or designates a single State agency as the sole agency for administering or supervising the administration of the plan, which agency shall be the agency primarily responsible for coordination of State programs and activities related to the purposes of this Act;

(2) provides for such financial participation by the State or communities with respect to activities and projects under the plan as the Secretary may by regulation prescribe in order to assure continuation of desirable activities and projects after termination of Federal financial support under this title;

Development of programs and activities.

(3) provides for development of programs and activities for carrying out the purposes of this Act, including the furnishing of consultative, technical, or information services to public or nonprofit private agencies and organizations engaged in activities relating to the special problems or welfare of older persons, and for coordinating the activities of such agencies and organizations to the extent feasible;

(4) provides for consultation with and utilization, pursuant to agreement with the head thereof, of the services and facilities of appropriate State or local public or nonprofit private agencies and organizations in the administration of the plan and in the development of such programs and activities;

Personnel.

(5) provides such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary 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 necessary for the proper and efficient operation of the plan;

Priority of projects.

(6) sets forth principles for determining the priority of projects in the State, and provides for approval of such projects in the order determined by application of such principles;

Project approval.

(7) provides for approval of projects of only public or nonprofit private agencies or organizations and for an opportunity for a hearing before the State agency for any applicant whose application for approval of a project is denied; and

Maintenance of records.

(8) provides that the State agency will make such reports to the Secretary, in such form and containing such information, as may reasonably be necessary to enable him to perform his functions under this title and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

The Secretary shall not finally disapprove any State plan, or any modification thereof submitted under this section without first affording the State reasonable notice and opportunity for a hearing.

Noncompliance. Cancellation of payments.

(b) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of a State plan approved under subsection (a), finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of subsection (a), or

(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Secretary 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 projects 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 shall be made to such State under this title (or payments shall be limited to projects under or portions of the State plan not affected by such failure).

Appeal.

(c) A State which is dissatisfied with a final action of the Secretary under subsection (a) or (b) 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 Secretary, or any officer designated by him for that purpose. The Secretary 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 Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary 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 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 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 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, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

72 Stat. 941.

62 Stat. 928.

COSTS OF STATE PLAN ADMINISTRATION

SEC. 304. From a State's allotment under section 302 for a fiscal year, not more than 10 per centum or $15,000, whichever is the larger, shall be available for paying one-half (or such smaller portion as the State may request) of the costs of the State agency (established or designated as provided in section 303(a)(1)) in administering the State plan approved under section 303, including the costs of carrying on the functions referred to in subsection (a)(3) thereof.

PAYMENTS

SEC. 305. Payments under this title may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Secretary may determine.

TITLE IV—RESEARCH AND DEVELOPMENT PROJECTS

PROJECT GRANTS

SEC. 401. The Secretary is authorized to carry out the purposes of this Act through grants to any public or nonprofit private agency, organization, or institution and contracts with any such agency, organization, or institution or with any individual—

(a) to study current patterns and conditions of living of older persons and identify factors which are beneficial or detrimental to the wholesome and meaningful living of such persons;

Multipurpose activity centers.

(b) to develop or demonstrate new approaches, techniques, and methods (including multipurpose activity centers) which hold promise of substantial contribution toward wholesome and meaningful living for older persons;

Community services, coordination.

(c) to develop or demonstrate approaches, methods, and techniques for achieving or improving coordination of community services for older persons; or

(d) to evaluate these approaches, techniques, and methods, as well as others which may assist older persons to enjoy wholesome and meaningful living and to continue to contribute to the strength and welfare of our Nation.

PAYMENTS OF GRANTS

Contribution by recipients.

SEC. 402. (a) To the extent he deems it appropriate, the Secretary shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

Conditions.

(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

(c) The Secretary shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of section 303(a)(1) unless the Secretary has consulted with such State agency regarding such grant or contract.

TITLE V—TRAINING PROJECTS

PROJECT GRANTS

SEC. 501. The Secretary is authorized to make grants to or contracts with any public or nonprofit private agency, organization, or institution for the specialized training of persons employed or preparing for employment in carrying out programs related to the purposes of this Act.

PAYMENT OF GRANTS

SEC. 502. (a) To the extent he deems it appropriate, the Secretary shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

Contribution by recipients.

(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

Conditions.

(c) The Secretary shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of section 303(a)(1) unless the Secretary has consulted with such State agency regarding such grant or contract.

TITLE VI—GENERAL

ADVISORY COMMITTEES

SEC. 601. (a)(1) For the purpose of advising the Secretary of Health, Education, and Welfare on matters bearing on his responsibilities under this Act and related activities of his Department, there is hereby established in the Department of Health, Education, and Welfare an Advisory Committee on Older Americans, consisting of the Commissioner, who shall be Chairman, and fifteen persons not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws. Members shall be selected from among persons who are experienced in or have demonstrated particular interest in special problems of the aging.

Advisory Committee on Older Americans. Membership.

(2) Each member of the Committee shall hold office for a term of three years, except that (A) 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 (B) the terms of office of the members first taking office shall expire, as designated by the Secretary of Health, Education, and Welfare at the time of appointment, five at the end of the first year, five at the end of the second year, and five at the end of the third year after the date of appointment.

Term of office.

(b) The Secretary of Health, Education, and Welfare is authorized to appoint, without regard to the civil service laws, such technical advisory committees as he deems appropriate for advising him in carrying out his functions under this Act.

(c) Members of the Advisory Committee or of any technical advisory committee appointed under this section, who are not regular full-time employees of the United States, shall, while attending meetings or conferences of such committee or otherwise engaged on business of such committee, be entitled to receive compensation at a rate fixed by the Secretary who appointed them, but not exceeding $75 per diem, 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 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Compensation, travel expenses.

60 Stat. 808; 75 Stat. 339, 340.

ADMINISTRATION

Publication of informational material, etc.

SEC. 602. (a) In carrying out the purposes of this Act, the Secretary of Health, Education, and Welfare is authorized to provide consultative services and technical assistance to public or nonprofit private agencies, organizations, and institutions; to provide short-term training and technical instruction; to conduct research and demonstrations; and to collect, prepare, publish, and disseminate special educational or informational materials, including reports of the projects for which funds are provided under this Act.

(b) In administering their respective functions under this Act, the Secretary of Health, Education, and Welfare is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit private agency or institution, in accordance with agreements between the Secretary concerned and the head thereof, and to pay therefor, in advance or by way of reimbursement, as may be provided in the agreement.

AUTHORIZATION OF APPROPRIATIONS

SEC. 603. The Secretary shall carry out titles IV and V of this Act during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years. There are hereby authorized to be appropriated $1,500,000 for the fiscal year ending June 30, 1966, and $3,000,000 for the fiscal year ending June 30, 1967, and for the fiscal year ending June 30, 1968, and each of the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law.

Approved July 14, 1965.

Public Law 89-74

July 15, 1965
[H. R. 2]

AN ACT

To protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes.

Drug Abuse Control 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 "Drug Abuse Control Amendments of 1965".

FINDINGS AND DECLARATION

SEC. 2. The Congress hereby finds and declares that there is a widespread illicit traffic in depressant and stimulant drugs moving in or otherwise affecting interstate commerce; that the use of such drugs, when not under the supervision of a licensed practitioner, often endan-

gers safety on the highways (without distinction of interstate and intrastate traffic thereon) and otherwise has become a threat to the public health and safety, making additional regulation of such drugs necessary regardless of the intrastate or interstate origin of such drugs; that in order to make regulation and protection of interstate commerce in such drugs effective, regulation of intrastate commerce is also necessary because, among other things, such drugs, when held for illicit sale, often do not bear labeling showing their place of origin and because in the form in which they are so held or in which they are consumed a determination of their place of origin is often extremely difficult or impossible; and that regulation of interstate commerce without the regulation of intrastate commerce in such drugs, as provided in this Act, would discriminate against and adversely affect interstate commerce in such drugs.

CONTROL OF DEPRESSANT AND STIMULANT DRUGS

SEC. 3. (a) Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end thereof the following: 52 Stat. 1040.

"(v) The term 'depressant or stimulant drug' means— "Depressant or stimulant drug."

"(1) any drug which contains any quantity of (A) barbituric acid or any of the salts of barbituric acid; or (B) any derivative of barbituric acid which has been designated by the Secretary under section 502(d) as habit forming; 21 USC 352.

"(2) any drug which contains any quantity of (A) amphetamine or any of its optical isomers; (B) any salt of amphetamine or any salt of an optical isomer of amphetamine; or (C) any substance which the Secretary, after investigation, has found to be, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system; or

"(3) any drug which contains any quantity of a substance which the Secretary, after investigation, has found to have, and by regulation designates as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect; except that the Secretary shall not designate under this paragraph, or under clause (C) of subparagraph (2), any substance that is now included, or is hereafter included, within the classifications stated in section 4731, and marihuana as defined in section 4761, of the Internal Revenue Code of 1954 (26 U.S.C. 4731, 4761). 68A Stat. 557, 565; 74 Stat. 57.

The provisions of subsections (e), (f), and (g) of section 701 shall apply to and govern proceedings for the issuance, amendment, or repeal of regulations under subparagraph (2)(C) or (3) of this paragraph." 52 Stat. 1055; 70 Stat. 919. 21 USC 371.

(b) Chapter V of such Act (21 U.S.C., chap. 9, subch. V) is amended by adding at the end thereof the following new section: 21 USC 351-360.

"DEPRESSANT AND STIMULANT DRUGS

Manufacture, etc., prohibition.

"SEC. 511. (a) No person shall manufacture, compound, or process any depressant or stimulant drug, except that this prohibition shall not apply to the following persons whose activities in connection with any such drug are solely as specified in this subsection:

Exceptions. 76 Stat. 794. 21 USC 360.

"(1)(A) Manufacturers, compounders, and processors registered under section 510 who are regularly engaged, and are otherwise qualified, in conformance with local laws, in preparing pharmaceutical chemicals or prescription drugs for distribution through branch outlets, through wholesale druggists, or by direct shipment, (i) to pharmacies or to hospitals, clinics, public health agencies, or physicians, for dispensing by registered pharmacists upon prescriptions, or for use by or under the supervision of practitioners licensed by law to administer such drugs in the course of their professional practice, or (ii) to laboratories or research or educational institutions for their use in research, teaching, or chemical analysis.

"(B) Suppliers (otherwise qualified in conformance with local laws) of manufacturers, compounders, and processors referred to in subparagraph (A).

"(2) Wholesale druggists registered under section 510 who maintain establishments in conformance with local laws and are regularly engaged in supplying prescription drugs (A) to pharmacies, or to hospitals, clinics, public health agencies, or physicians, for dispensing by registered pharmacists upon prescriptions, or for use by or under the supervision of practitioners licensed by law to administer such drugs in the course of their professional practice, or (B) to laboratories or research or educational institutions for their use in research, teaching, or clinical analysis.

"(3) Pharmacies, hospitals, clinics, and public health agencies, which maintain establishments in conformance with any applicable local laws regulating the practice of pharmacy and medicine and which are regularly engaged in dispensing prescription drugs upon prescriptions of practitioners licensed to administer such drugs for patients under the care of such practitioners in the course of their professional practice.

"(4) Practitioners licensed by law to prescribe or administer depressant or stimulant drugs, while acting in the course of their professional practice.

"(5) Persons who use depressant or stimulant drugs in research, teaching, or chemical analysis and not for sale.

"(6) Officers and employees of the United States, a State government, or a political subdivision of a State, while acting in the course of their official duties.

"(7) An employee or agent of any person described in paragraph (1) through paragraph (5), and a nurse or other medical technician under the supervision of a practitioner licensed by law to administer depressant or stimulant drugs, while such employee, nurse, or medical technician is acting in the course of his employment or occupation and not on his own account.

"(b) No person, other than— Sale, etc., prohibition.

"(1) a person described in subsection (a), while such person is acting in the ordinary and authorized course of his business, profession, occupation, or employment, or

"(2) a common or contract carrier or warehouseman, or an employee thereof, whose possession of any depressant or stimulant drug is in the usual course of his business or employment as such, shall sell, deliver, or otherwise dispose of any depressant or stimulant drug to any other person.

"(c) No person, other than a person described in subsection (a) or subsection (b)(2), shall possess any depressant or stimulant drug otherwise than (1) for the personal use of himself or of a member of his household, or (2) for administration to an animal owned by him or a member of his household. In any criminal prosecution for possession of a depressant or stimulant drug in violation of this subsection (which is made a prohibited act by section 301(q)(3)), the United States shall have the burden of proof that the possession involved does not come within the exceptions contained in clauses (1) and (2) of the preceding sentence. Possession, restriction. *Post*, p. 232.

"(d)(1) Every person engaged in manufacturing, compounding, processing, selling, delivering, or otherwise disposing of any depressant or stimulant drug shall, upon the effective date of this section, prepare a complete and accurate record of all stocks of each such drug on hand and shall keep such record for three years. On and after the effective date of this section, every person manufacturing, compounding, or processing any depressant or stimulant drug shall prepare and keep, for not less than three years, a complete and accurate record of the kind and quantity of each such drug manufactured, compounded, or processed and the date of such manufacture, compounding, or processing; and every person selling, delivering, or otherwise disposing of any depressant or stimulant drug shall prepare or obtain, and keep for not less than three years, a complete and accurate record of the kind and quantity of each such drug received, sold, delivered, or otherwise disposed of, the name and address of the person, and the registration number, if any, assigned to such person by the Secretary pursuant to section 510(e), from whom it was received and to whom it was sold, delivered, or otherwise disposed of, and the date of such transaction. No separate records, nor set form or forms for any of the foregoing records, shall be required as long as records containing the required information are available. Records. 76 Stat. 794. 21 USC 360.

"(2)(A) Every person required by paragraph (1) of this subsection to prepare or obtain, and keep, records, and any carrier maintaining records with respect to any shipment containing any depressant or stimulant drug, and every person in charge, or having custody, of such records, shall, upon request of an officer or employee designated by the Secretary permit such officer or employee at reasonable times to have access to and copy such records. For the purposes of verification of such records and of enforcement of this section, officers or employees Inspection.

designated by the Secretary are authorized, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, to enter, at reasonable times, any factory, warehouse, establishment, or vehicle in which any depressant or stimulant drug is held, manufactured, compounded, processed, sold, delivered, or otherwise disposed of and to inspect, within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, or vehicle, and all pertinent equipment, finished and unfinished material, containers and labeling therein, and all things therein (including records, files, papers, processes, controls, and facilities) bearing on violation of this section or section 301(q); and to inventory any stock of any such drug therein and obtain samples of any such drug. If a sample is thus obtained, the officer or employee making the inspection shall, upon completion of the inspection and before leaving the premises, give to the owner, operator, or agent in charge a receipt describing the sample obtained.

Post, p. 232.

"(B) No inspection authorized by subparagraph (A) shall extend to (i) financial data, (ii) sales data other than shipment data, (iii) pricing data, (iv) personnel data, or (v) research data, which are exempted from inspection under the third sentence of section 704(a) of this Act.

76 Stat. 792.
21 USC 374.

"(3) The provisions of paragraphs (1) and (2) of this subsection shall not apply to a licensed practitioner described in subsection (a)(4) with respect to any depressant or stimulant drug received, prepared, processed, administered, or dispensed by him in the course of his professional practice, unless such practitioner regularly engages in dispensing any such drug or drugs to his patients for which they are charged, either separately or together with charges for other professional services.

Practitioners, exception.

"(e) No prescription (issued before or after the effective date of this section) for any depressant or stimulant drug may be filled or refilled more than six months after the date on which such prescription was issued and no such prescription which is authorized to be refilled may be refilled more than five times, except that any prescription for such a drug after six months after the date of issue or after being refilled five times may be renewed by the practitioner issuing it either in writing, or orally (if promptly reduced to writing and filed by the pharmacist filling it).

Prescriptions, restrictions.

"(f)(1) The Secretary may by regulation exempt any depressant or stimulant drug from the application of all or part of this section when he finds that regulation of its manufacture, compounding, processing, possession, and disposition, as provided in this section or in such part thereof, is not necessary for the protection of the public health.

Certain drugs, exemption.

"(2) The Secretary shall by regulation exempt any depressant or stimulant drug from the application of this section, if—

"(A) such drug may, under the provisions of this Act, be sold over the counter without a prescription; or

"(B) he finds that such drug includes one or more substances not having a depressant or stimulant effect on the central nervous system or a hallucinogenic effect and such substance or substances are present therein in such combination, quantity, proportion, or concentration as to prevent the substance or substances therein which do have such an effect from being ingested or absorbed in sufficient amounts or concentrations as, within the meaning of section 201(v), to—

Ante, p. 227.

"(i) be habit forming because of their stimulant effect on the central nervous system, or

"(ii) have a potential for abuse because of their depressant or stimulant effect on the central nervous system or their hallucinogenic effect.

"(g)(1) The Secretary may, from time to time, appoint a committee of experts to advise him with regard to any of the following matters involved in determining whether a regulation under subparagraph (2)(C) or (3) of section 201(v) should be proposed, issued, amended, or repealed: (A) whether or not the substance involved has a depressant or stimulant effect on the central nervous system or a hallucinogenic effect, (B) whether the substance involved has a potential for abuse because of its depressant or stimulant effect on the central nervous system, and (C) any other scientific question (as determined by the Secretary) which is pertinent to the determination of whether such substance should be designated by the Secretary pursuant to subparagraph (2)(C) or (3) of section 201(v). The Secretary may establish a time limit for submission of the committee's report. The appointment, compensation, staffing, and procedure of such committees shall be in accordance with subsections (b)(5)(D), and the admissibility of their reports, recommendations, and testimony at any hearing involving such matters shall be determined in accordance with subsection (d)(2), of section 706. The appointment of such a committee after publication of an order acting on a proposal pursuant to section 701(e)(1) shall not suspend the running of the time for filing objections to such order and requesting a hearing unless the Secretary so directs.

Advisory committee.

Ante, p. 227.

74 Stat. 399.
21 USC 376.

70 Stat. 919.
21 USC 371.

"(2) Where such a matter is referred to an expert advisory committee upon request of an interested person, the Secretary may, pursuant to regulations, require such person to pay fees to pay the costs, to the Department, arising by reason of such referral. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriations) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees and for refunds in accordance with such regulations.

Referral fees.

"(h) As used in this section and in sections 301 and 304, the term 'manufacture, compound, or process' shall be deemed to refer to 'manufacture, preparation, propagation, compounding, or processing' as defined in section 510(a), and the term 'manufacturers, compounders, and processors' shall be deemed to refer to persons engaged in such defined activities."

52 Stat. 1042.
21 USC 331, 334.

REGISTRATION OF PRODUCERS AND WHOLESALERS OF DEPRESSANT AND STIMULANT DRUGS

SEC. 4. (a) Section 510(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360) is amended by redesignating paragraph (2) thereof as paragraph (3) and by inserting immediately after paragraph (1) the following new paragraph:

76 Stat. 794.

"(2) the term 'wholesaling, jobbing, or distributing of depressant or stimulant drugs' means the selling or distribution of any depressant or stimulant drug to any person who is not the ultimate user or consumer or such drug;"

Definition.

(b) Subsection (b) of section 510 of such Act is amended (1) by inserting immediately after "drug or drugs" the following: "or in the wholesaling, jobbing, or distributing of any depressant or stimulant drug", and (2) by adding at the end thereof the following: "If any such establishment is engaged in the manufacture, preparation, propa-

gation, compounding, or processing of any depressant or stimulant drug, such person shall, at the time of such registration, indicate such fact, in such manner as the Secretary may by regulation prescribe."

76 Stat. 794.
21 USC 360.

(c) Subsection (c) of section 510 of such Act is amended (1) by inserting immediately after "drug or drugs" the following: "or in the wholesaling, jobbing, or distributing of any depressant or stimulant drug", and (2) by adding at the end thereof the following: "If such establishment is engaged in the manufacture, preparation, propagation, compounding, or processing of any depressant or stimulant drug such person shall, at the time of such registration, indicate such fact, in such manner as the Secretary may by regulation prescribe."

(d) Subsection (d) of section 510 of such Act is amended by inserting "(1)" immediately after "(d)" and by striking out the period at the end thereof and inserting in lieu thereof the following: "or the wholesaling, jobbing, or distributing of any depressant or stimulant drug. If any depressant or stimulant drug is manufactured, prepared, propagated, compounded, or processed in such additional establishment, such person shall, at the time of such registration, indicate such fact, in such manner as the Secretary may by regulation prescribe.

"(2) Every person who is registered with the Secretary pursuant to the first sentence of subsection (b) or (c) or paragraph (1) of this subsection, but to whom the second sentence of subsection (b) or (c) or of paragraph (1) of this subsection did not apply at the time of such registration, shall, if any depressant or stimulant drug is thereafter manufactured, prepared, propagated, compounded, or processed in any establishment with respect to which he is so registered, immediately file a supplement to such registration with the Secretary indicating such fact, in such manner as the Secretary may by regulation prescribe."

(e) The heading of such section 510 is amended by inserting "and Certain Wholesalers" immediately after "of Producers".

PROHIBITED ACTS

52 Stat. 1042.

SEC. 5. Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end thereof the following new paragraph:

Ante, p. 228.

"(q)(1) The manufacture, compounding, or processing of a drug in violation of section 511(a); (2) the sale, delivery, or other disposition of a drug in violation of section 511(b); (3) the possession of a drug in violation of section 511(c); (4) the failure to prepare or obtain, or the failure to keep, a complete and accurate record with respect to any drug as required by section 511(d); (5) the refusal to permit access to or copying of any record as required by section 511(d); (6) the refusal to permit entry or inspection as authorized by section 511(d); or (7) the filling or refilling of any prescription in violation of section 511(e)."

GROUNDS AND JURISDICTION FOR JUDICIAL SEIZURE AND CONDEMNATION

52 Stat. 1044.

SEC. 6. (a) Subsection (a) of section 304 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 334) is amended by inserting "(1)" after "(a)" and redesignating clauses (1) and (2) of the proviso thereto as "(A)" and "(B)", respectively; and by adding at the end of such subsection the following new paragraph:

"(2) The following shall be liable to be proceeded against at any time on libel of information and condemned in any district court of

the United States within the jurisdiction of which they are found: (A) Any depressant or stimulant drug with respect to which a prohibited act within the meaning of section 301 (p) or (q) by any person has occurred, (B) Any drug that is a counterfeit drug, (C) Any container of such depressant or stimulant drug or of a counterfeit drug, (D) Any equipment used in manufacturing, compounding, or processing a depressant or stimulant drug with respect to which drug a prohibited act within the meaning of section 301 (p) or (q), by the manufacturer, compounder, or processor thereof, has occurred, and (E) Any punch, die, plate, stone, labeling, container, or other thing used or designed for use in making a counterfeit drug or drugs."

76 Stat. 795. 21 USC 331; *Ante*, p. 232.

(b)(1) The first sentence of subsection (b) of such section 304 is amended by inserting ", equipment, or other thing proceeded against" after "article".

(2) Subsection (d) of such section 304 is amended by inserting "(1)" after "(d)" and redesignating clauses (1) and (2) of the second sentence of such subsection as "(A)" and "(B)", respectively; and by adding at the end of such subsection the following new paragraphs:

52 Stat. 1044. 21 USC 334.

"(2) The provisions of paragraph (1) of this subsection shall, to the extent deemed appropriate by the court, apply to any equipment or other thing which is not otherwise within the scope of such paragraph and which is referred to in paragraph (2) of subsection (a).

Ante, p. 232.

"(3) Whenever in any proceeding under this section, involving paragraph (2) of subsection (a), the condemnation of any equipment or thing (other than a drug) is decreed, the court shall allow the claim of any claimant, to the extent of such claimant's interest, for remission or mitigation of such forfeiture if such claimant proves to the satisfaction of the court (i) that he has not committed or caused to be committed any prohibited act referred to in such paragraph (2) and has no interest in any drug referred to therein, (ii) that he has an interest in such equipment or other thing as owner or lienor or otherwise, acquired by him in good faith, and (iii) that he at no time had any knowledge or reason to believe that such equipment or other thing was being or would be used in, or to facilitate, the violation of laws of the United States relating to depressant or stimulant drugs or counterfeit drugs."

Claim for remission.

PENALTIES

SEC. 7. (a) Section 303(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(a)) is amended by inserting after the final word "fine" and before the period the following: ": *Provided, however*, That any person who, having attained his eighteenth birthday, violates section 301(q)(2) by selling, delivering, or otherwise disposing of any depressant or stimulant drug to a person who has not attained his twenty-first birthday shall, if there be no previous conviction of such person under this section which has become final, be subject to imprisonment for not more than two years, or a fine of not more than $5,000, or both such imprisonment and fine, and for the second or any subsequent conviction for such a violation shall be subject to imprisonment for not more than six years, or a fine of not more than $15,000, or both such imprisonment and fine".

52 Stat. 1043.

(b) Section 303(b) of such Act (21 U.S.C. 333(b)) is amended by inserting after the word "shall" the following: "(except in the case of an offense which is subject to the provisions of the proviso to subsection (a) relating to second or subsequent offenses)".

POWERS AND PROTECTION OF ENFORCEMENT PERSONNEL

52 Stat. 1056; 76 Stat. 796.

SEC. 8. (a) Section 702 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 372) is amended by adding at the end thereof the following new subsection:

"(e) Any officer or employee of the Department designated by the Secretary to conduct examinations, investigations, or inspections under this Act relating to depressant or stimulant drugs or to counterfeit drugs may, when so authorized by the Secretary—

"(1) carry firearms;

"(2) execute and serve search warrants and arrest warrants;

21 USC 334.

"(3) execute seizure by process issued pursuant to libel under section 304;

"(4) make arrests without warrant for offenses under this Act with respect to such drugs if the offense is committed in his presence or, in the case of a felony, if he has probable cause to believe that the person so arrested has committed, or is committing, such offense; and

Ante, p. 232.

"(5) make, prior to the institution of libel proceedings under section 304(a)(2), seizures of drugs or containers or of equipment, punches, dies, plates, stones, labeling, or other things, if they are, or he has reasonable grounds to believe that they are, subject to seizure and condemnation under such section 304(a)(2). In the event of seizure pursuant to this paragraph (5), libel proceedings under section 304(a)(2) shall be instituted promptly and the property seized be placed under the jurisdiction of the court."

65 Stat. 721; 78 Stat. 610.

(b) Section 1114 of title 18 of the United States Code is amended by striking out "or any security officer of the Department of State or the Foreign Service" and by inserting in lieu thereof the following: "any security officer of the Department of State or the Foreign Service, or any officer or employee of the Department of Health, Education, and Welfare designated by the Secretary of Health, Education, and Welfare to conduct investigations or inspections under the Federal Food, Drug, and Cosmetic Act".

52 Stat. 1040. 21 USC 301.

COUNTERFEITING OF DRUGS

SEC. 9. (a) The Congress finds and declares that there is a substantial traffic in counterfeit drugs simulating the brand or other identifying mark or device of the manufacturer of the genuine article; that such traffic poses a serious hazard to the health of innocent consumers of such drugs because of the lack of proper qualifications, facilities, and manufacturing controls on the part of the counterfeiter, whose operations are clandestine; that, while such drugs are deemed misbranded within the meaning of section 502(i) of the Federal Food, Drug, and Cosmetic Act, the controls for the suppression of the traffic in such drugs are inadequate because of the difficulty of determining the place of interstate origin of such drugs and, if that place is discovered, the fact that the implements for counterfeiting are not subject to seizure, and that these factors require enactment of additional controls with respect to such drugs without regard to their interstate or intrastate origins.

21 USC 352.

(b) Paragraph (g) of section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended (1) by inserting "(1)" immediately after "(g)", (2) by redesignating clauses (1), (2), (3), and (4) thereof as clauses (A), (B), (C), and (D), respectively, (3) by striking out "clause (1), (2), or (3)" and inserting in lieu

thereof "clause (A), (B), or (C)", and (4) by adding at the end thereof the following:

"(2) The term 'counterfeit drug' means a drug which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, of a drug manufacturer, processor, packer, or distributor other than the person or persons who in fact manufactured, processed, packed, or distributed such drug and which thereby falsely purports or is represented to be the product of, or to have been packed or distributed by, such other drug manufacturer, processor, packer, or distributor." "Counterfeit drug."

(c) Paragraph (i) of section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(c)) is amended by inserting "(1)" immediately after "(i)" and by adding at the end thereof the following new subparagraphs: 52 Stat. 1042.

"(2) Making, selling, disposing of, or keeping in possession, control, or custody, or concealing any punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render such drug a counterfeit drug.

"(3) The doing of any act which causes a drug to be a counterfeit drug, or the sale or dispensing, or the holding for sale or dispensing, of a counterfeit drug."

(d) Section 303 of such Act (21 U.S.C. 333(c)) is amended by inserting immediately before the period at the end thereof the following: "; or (5) for having violated section 301(i)(2) if such person acted in good faith and had no reason to believe that use of the punch, die, plate, stone, or other thing involved would result in a drug being a counterfeit drug, or for having violated section 301(i)(3) if the person doing the act or causing it to be done acted in good faith and had no reason to believe that the drug was a counterfeit drug".

APPLICATION OF STATE LAW

SEC. 10. (a) Nothing in this Act shall be construed as authorizing the manufacture, compounding, processing, possession, sale, delivery, or other disposal of any drug in any State in contravention of the laws of such State.

(b) No provision of this Act nor any amendment made by it shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision or amendment operates to the exclusion of any State law on the same subject matter, unless there is a direct and positive conflict between such provision or amendment and such State law so that the two cannot be reconciled or consistently stand together.

(c) No amendment made by this Act shall be construed to prevent the enforcement in the courts of any State of any statute of such State prescribing any criminal penalty for any act made criminal by any such amendment.

EFFECTIVE DATE

SEC. 11. The foregoing provisions of this Act shall take effect on the first day of the seventh calendar month following the month in which this Act is enacted; except that (1) the Secretary shall permit persons, owning or operating any establishment engaged in manufacturing, preparing, propagating, compounding, processing, whole-

saling, jobbing, or distributing any depressant or stimulant drug, as referred to in the amendments made by section 4 of this Act to section 510 of the Federal Food, Drug, and Cosmetic Act, to register their names, places of business, and establishments, and other information prescribed by such amendments, with the Secretary prior to such effective date, and (2) sections 201(v) and 511(g) of the Federal Food, Drug, and Cosmetic Act, as added by this Act, and the provisions of sections 8 and 10 shall take effect upon the date of enactment of this Act.

Approved July 15, 1965.

Public Law 89-75

July 16, 1965
[H. R. 6453]

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, 1966, and for other purposes.

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA

District of Columbia Appropriation Act, 1966.

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, 1966, 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 $43,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1965), (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 $1,973,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1965), (4) the sanitary sewage works fund (when designated as payable therefrom), established by law (Public Law 364, 83d Congress), and $1,149,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1965), and (5) the metropolitan area sanitary sewage works fund (when

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.

designated as payable therefrom), established by law (Public Law 85-515); and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $26,311,900, 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), the Act of June 6, 1958 (72 Stat. 183), and the Act of August 27, 1963 (77 Stat. 130), to be advanced upon request of the Commissioners to the following funds: general fund, $22,400,000; and highway fund, $3,911,900.

74 Stat. 210.
D.C. Code 43-1620 to 43-1624.

D.C. Code 43-1601 note, 9-220.

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; $20,112,000, of which $375,000 (to remain available until expended) shall be available solely for District of Columbia employees' disability compensation and $25,000 shall remain available until December 31, 1966, for expenditure by the American Legion 1966 Convention Corporation in connection with the 1966 National Convention of the American Legion, subject to reimbursement from the American Legion, and $186,700 shall be payable from the highway fund (including $52,300 from the motor-vehicle parking account), $27,200 from the water fund, and $8,900 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.

American Legion 1966 Convention Corp., expenses.

60 Stat. 810.

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 twelve passenger motor vehicles (including ninety-eight for police-type use without regard to the general purchase price limitation for the current fiscal year but not in excess of $100 per vehicle above such limitation) of which seventy-three are for replacement purposes; $78,663,000, of which $168,025 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 $3,761,700 shall be payable from the highway fund (including $112,000 from the motor vehicle parking account), $3,200 from the water fund, and $3,200 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 nine passenger motor vehicles, including seven for replacement only, purchase of two driver training vehicles, 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, $75,457,600, of which $733,093 shall be for development of vocational education in the District of Columbia in accordance with the Act of June 8, 1936, as amended, and $124,000 shall be payable from the highway fund.

20 USC 401 note.

60 Stat. 775; 70 Stat. 925; 72 Stat. 1597.

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, 1965, to August 28, 1965.

20 USC 151 note, 15aaa.

5 USC 3105.

PARKS AND RECREATION

Parks and recreation, including the purchase, acquisition, and transportation of specimens for the National Zoological Park, $10,703,700, of which $25,000 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; $79,813,800: *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 $34 per diem and the outpatient rate shall not exceed $5.75 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 $10.43 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 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.

59 Stat. 282.

74 Stat. 21.

HIGHWAYS AND TRAFFIC

Highways and traffic, including $77,459 for traffic safety education without reference to any other law; $250 for membership in the American Association of Motor Vehicle Administrators and $622 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-seven for replacement only; $13,989,000, of which $9,464,000 shall be payable from the highway fund (including $681,500 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 twelve passenger motor vehicles for replacement only, $22,498,000, of which $7,529,000 shall be payable from the water fund, $4,367,000 shall be payable from the sanitary sewage works fund, and $83,200 shall be payable from the metropolitan area sanitary sewage works fund.

METROPOLITAN POLICE

ADDITIONAL MUNICIPAL SERVICES, IMPERIAL SHRINE CONVENTION

Metropolitan Police (additional municipal services, Imperial Shrine 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 Imperial Shrine Convention (but not to exceed a total of sixteen hours overtime pay to any individual officer or member performing service

during such period) with such overtime chargeable to this appropriation or to the appropriations of the police and fire departments, $221,200.

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 1966 from which said employees are properly payable, $1,279,000, of which $103,000 shall be payable from the highway fund (including $2,000 from the motor vehicle parking account), $132,000 from the water fund, $88,000 from the sanitary sewage works fund, and $1,000 from the metropolitan area sanitary sewage works fund.

REPAYMENT OF LOANS AND INTEREST

D.C. Code 43-1540, 43-1616, 7-133.
D.C. Code 2-1725.
D.C. Code 9-220; 43-1623.

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 7 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, $5,690,400, of which $2,151,800 shall be payable from the highway fund, $1,225,800 shall be payable from the water fund, and $455,100 shall be payable from the sanitary sewage works fund.

CAPITAL OUTLAY

D.C. Code 11-103.
D.C. Code 43-1510; 40-804; 43-1603; 9-220.

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), 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: new senior high school in the vicinity of 55th and Eads Streets Northeast, new elementary school in the vicinity of 11th and Kenyon Streets Northwest, Blow-Pierce Elementary Schools replacement, Blair-Ludlow-Taylor Elementary Schools replacement, new elementary school in the vicinity of Texas Avenue and Burns Street Southeast, Seaton Elementary School replacement, Thomas Elementary School addition, Emery-Eckington Elementary Schools replacement, Brent Elementary School replacement, new downtown library, Engine Company Number 15 replacement; for conducting the following preliminary surveys: electrical, water and sewer systems of the Children's Center, boiler modification and replacement of roadways at the District Training School; erection of the following structures, including building improvement and alteration and the treatment of grounds: new junior high school in the vicinity of Sixth Street and Brentwood Parkway Northeast, new elementary school in the vicinity of Seventh and Webster Streets Northwest, Watkins Elementary School addition and alterations, Wheatley Elementary School addition, Nichols Avenue Elementary School replacement, Tyler Elementary School addition, Chevy Chase Branch Library, Precinct Number 2 addition, Engine Company Number 9 replacement, utility services at the District of Columbia General Hospital, heating plant replacement at the Workhouse, dormitory at the Workhouse, juvenile facility,

replacement of steam distribution system at the Maple Glen School, and Incinerator Number 5; $598,500 for the purchase of equipment for new school buildings; to remain available until expended, $51,800,800, of which $8,580,000 shall not become available for expenditure until July 1, 1966, $9,250,000 shall be payable from the highway fund (including $120,000 from the motor vehicle parking account), $1,375,000 shall be payable from the water fund, and $2,285,000 shall be payable from the sanitary sewage works fund, and $2,377,900 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 hundred and forty-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.

Travel expenses.

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.

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.

Restrictions.

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 Utilities 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 Utilities Commission.

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.

Vehicle use.

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.

60 Stat. 810.

Snow removal.

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.

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.

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.

Judgment payments.

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.

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 1966: *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, 1966."

Approved July 16, 1965.

Public Law 89-76

July 16, 1965
[H. R. 5184]

AN ACT

For the relief of the port of Portland, Oregon.

Port of Portland, Oreg.

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 be, and he hereby is, authorized and directed to settle and adjust the claim of the port of Portland (Oregon) on account of payment of a judgment plus interest to the State of Oregon, pursuant to a decision of the Circuit Court of Multnomah County (Oregon), representing a royalty on certain material supplied to the Department of the Army by the port under a negotiated contract, order numbered 40-71921, dated January 28, 1959, and to allow in full and final settlement of the claim a sum not to exceed $6,226.80. There is hereby appropriated out of any money in the Treasury not otherwise appropriated the sum of $6,226.80 for the payment of said claim.

Approved July 16, 1965.

Public Law 89-77

AN ACT

July 21, 1965
[H. R. 5874]

To amend Public Law 815, Eighty-first Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education, to amend section 6(a) of Public Law 874, Eighty-first Congress, relating to conditions of employment of teachers in dependents' 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 section 10 of the Act of September 23, 1950, as amended (20 U.S.C. 640), is amended by inserting the following sentence after the first sentence thereof: "In any case in which the Commissioner makes arrangements under this section for constructing or otherwise providing minimum school facilities situated on Federal property in Puerto Rico, Wake Island, Guam, or the Virgin Islands, he may also include minimum school facilities necessary for the education of children residing with a parent employed by the United States though not residing on Federal property, but only if the Commissioner determines, after consultation with the appropriate State educational agency, (1) that the construction or provision of such facilities is appropriate to carry out the purposes of this Act, (2) that no local educational agency is able to provide suitable free public education for such children, and (3) that English is not the primary language of instruction in schools in the locality."

School facilities, construction.
72 Stat. 553.

SEC. 2. The fourth sentence of section 6(a) of the Act of September 30, 1950, as amended (20 U.S.C. 241(a)) is amended to read as follows: "For the purpose of providing such comparable education, personnel may be employed and the compensation, tenure, leave, hours of work, and other incidents of the employment relationship may be fixed without regard to the Civil Service Act and rules (5 U.S.C. 631 et seq.) and the following: (1) the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.); (2) the Annual and Sick Leave Act of 1951, as amended (5 U.S.C. 2061 et seq.); (3) the Federal Employees' Pay Act of 1945, as amended (5 U.S.C. 901 et seq.); (4) the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851 et seq.); and (5) the Performance Rating Act of 1950, as amended (5 U.S.C. 2001 et seq.)."

64 Stat. 1107;
67 Stat. 535.

22 Stat. 403;
63 Stat. 954;
65 Stat. 672;
59 Stat. 295;
58 Stat. 387;
64 Stat. 1098.

SEC. 3. The last sentence of section 203(a)(2) of the Act of September 30, 1950, as amended, is repealed.

Repeal.
Ante, p. 28.

Approved July 21, 1965.

Public Law 89-78

AN ACT

July 21, 1965
[H. R. 7847]

To amend the Small Business Act.

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 (15 U.S.C. 633(c)) is amended—by striking out "$341,000,000" and inserting in lieu thereof "$461,000,000."

76 Stat. 220.

Approved July 21, 1965.

Public Law 89-79

July 21, 1965
[H. R. 5306]

AN ACT

To continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors.

Banks.
Time deposits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of the fourteenth paragraph (12 U.S.C. 371b) of section 19 of the Federal Reserve Act is amended by changing "the effective date of this sentence and ending upon the expiration of three years after such date," to read "October 15, 1962, and ending on October 15, 1968,".

49 Stat. 715;
76 Stat. 953.

SEC. 2. The last sentence of section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended by changing "the effective date of this sentence and ending upon the expiration of three years after such date," to read "October 15, 1962, and ending on October 15, 1968,".

64 Stat. 893;
76 Stat. 953.

Approved July 21, 1965.

Public Law 89-80

July 22, 1965
[S. 21]

AN ACT

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

Water Resources Planning Act.

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 "Water Resources Planning Act".

STATEMENT OF POLICY

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned.

EFFECT ON EXISTING LAWS

SEC. 3. Nothing in this Act shall be construed—

Federal or state jurisdiction.

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

Federal officials.

(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional

or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources or to exercise licensing or regulatory functions in relation thereto, except as required to carry out the provisions of this Act; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico;

Federal agencies and international commissions.

15 UST 1555.

(d) as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

River basin commissions.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other Federal agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

Duties.

(a) maintain a continuing study and prepare an assessment biennially, or at such less frequent intervals as the Council may determine, of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

SEC. 103. The Council shall establish, after such consultation with other interested entities, both Federal and non-Federal, as the Council may find appropriate, and with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

Federal projects procedures.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

Review of plans.

(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

Report to President and Congress.

(b) transmit its recommendations, together with the plan or revision of the river basin commission and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

Administrative provisions.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) 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; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

63 Stat. 954; 78 Stat. 400. 5 USC 1071 note. 60 Stat. 810.

Oaths.

(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

Records, public inspection.

(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

TITLE II—RIVER BASIN COMMISSIONS

CREATION OF COMMISSIONS

SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or

in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located and, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming or, in the event the Columbia River Basin is involved, by at least three of the four States of Idaho, Montana, Oregon, and Washington. Such concurrences shall be in writing.

Duties.

(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, local and nongovernmental development of water and related resources: *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins; and it may be prepared in stages, including recommendations with respect to individual projects;

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

MEMBERSHIP OF COMMISSIONS

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

Federal chairmen.

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

Federal agencies.

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

States.

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

Interstate agencies.

(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

International commissions.

(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the

waters of the area, river basin, or group of river basins for which the river basin commission is established.

ORGANIZATION OF COMMISSIONS

SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon decision of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resources planning to any of the participants shall be kept freely available to all such participants.

Disposition of records.

(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

Vacancies.

(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

Chairmen, final authority.

(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

DUTIES OF THE COMMISSIONS

SEC. 204. Each river basin commission shall—

(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;

Report to President and Congress.

(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

Joint plan, transmission.

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for

water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion, or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion, or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion, or revision; and

(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

POWERS AND ADMINISTRATIVE PROVISIONS OF THE COMMISSIONS

SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

(2) acquire, furnish, and equip such office space as is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed $100 per diem, and retain and compensate such professional or technical service firms as it deems advisable on a contract basis;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

(7) purchase, hire, operate, and maintain passenger motor vehicles; and

(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

Oaths.

(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

Records, public inspection.

(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

Personnel.

(e) The chairman of each river basin commission shall, with the concurrence of the vice chairman, appoint the personnel employed by such commission, and the chairman shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, be responsible for (1) the supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds available to such commission.

COMPENSATION OF COMMISSION MEMBERS

SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (e) of this Act shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interstate agency respectively, which they represent.

Chairmen.

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than $100 per day and shall not exceed $12,000 in any year.

78 Stat. 400.
5 USC 1113.

Expenses.

SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of pro-

posed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

42 Stat. 20.
31 USC 1.

(b) A commission may accept for any of its purposes and functions appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

Annual audit.

(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

Accounts, inspection.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS

SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, $5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

Appropriation authorization.

(b) The Council, with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

73 Stat. 678.
40 USC 461.

ALLOTMENTS

SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations, on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

STATE PROGRAMS

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water-related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies, and nongovernmental entities having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, or under the Land and Water Conservation Fund Act of 1965, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

73 Stat. 678.
40 USC 461.
78 Stat. 897.
16 USC 460*l*-4 note.

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

Notice of hearing.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

REVIEW

Noncompliance. Curtailing of payment.

SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement,

the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

PAYMENTS

SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

DEFINITION

SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

RECORDS

SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made 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. Maintenance.

(b) The Chairman of the Council 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 the grant that are pertinent to the determination that funds granted are used in accordance with this Act. Audit.

TITLE IV—MISCELLANEOUS

AUTHORIZATION OF APPROPRIATIONS

SEC. 401. There are authorized to be appropriated not to exceed $300,000 annually, to carry out the provisions of title I of this Act, not to exceed $6,000,000 annually to carry out the provisions of title II, and not to exceed $400,000 annually for the administration of title III: *Provided*, That, with respect to title II, not more than $750,000 annually shall be available for any single river basin commission.

RULES AND REGULATIONS

SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.

DELEGATION OF FUNCTIONS

SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

UTILIZATION OF PERSONNEL

SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.

Approved July 22, 1965.

Public Law 89-81

July 23, 1965
[S. 2080]

AN ACT

To provide for the coinage of the United States.

Coinage 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 "Coinage Act of 1965".

TITLE I—AUTHORIZATION OF ADDITIONAL COINAGE

Specifications.

SEC. 101. (a) The Secretary may coin and issue pursuant to this section half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet the needs of the public. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

(1) The half dollar shall have—

(A) a diameter of 1.205 inches;

(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

(C) a core of an alloy of silver and copper such that the whole coin weighs 11.5 grams and contains 4.6 grams of silver and 6.9 grams of copper.

(2) The quarter dollar shall have—

(A) a diameter of 0.955 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 5.67 grams.

(3) The dime shall have—

(A) a diameter of 0.705 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 2.268 grams.

(b) Half dollars, quarter dollars, and dimes may be minted from 900 fine coin silver only until such date as the Secretary of the Treasury determines that adequate supplies of the coins authorized by this Act

are available, and in no event later than five years after the date of enactment of this Act.

(c) No standard silver dollars may be minted during the five-year period which begins on the date of enactment of this Act.

Silver dollars, restriction.

Legal tender.

SEC. 102. All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations), regardless of when coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues.

Contract authority.

SEC. 103. (a) In order to acquire equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, metallic strip, and other materials necessary to produce rapidly an adequate supply of the coins authorized by section 101 of this Act, the Secretary may enter into contracts upon such terms and conditions as he may deem appropriate and in the public interest.

(b) During such period as he may deem necessary, but in no event later than five years after the date of enactment of this Act, the Secretary may exercise the authority conferred by subsection (a) of this section without regard to any other provisions of law governing procurement or public contracts.

Silver, purchase.

SEC. 104. The Secretary shall purchase at a price of $1.25 per fine troy ounce any silver mined after the date of enactment of this Act from natural deposits in the United States or any place subject to the jurisdiction thereof and tendered to a United States mint or assay office within one year after the month in which the ore from which it is derived was mined.

Exportation, etc., of coins.

SEC. 105. (a) Whenever in the judgment of the Secretary such action is necessary to protect the coinage of the United States, he is authorized under such rules and regulations as he may prescribe to prohibit, curtail, or regulate the exportation, melting, or treating of any coin of the United States.

Penalty.

(b) Whoever knowingly violates any order, rule, regulation, or license issued pursuant to subsection (a) of this section shall be fined not more than $10,000, or imprisoned not more than five years, or both.

Forfeiture of coins.

SEC. 106. (a) There shall be forfeited to the United States any coins exported, melted, or treated in violation of any order, rule, regulation, or license issued under section 105(a), and any metal resulting from such melting or treating.

(b) The powers of the Secretary and his delegates, and the judicial and other remedies available to the United States, for the enforcement of forfeitures of property subject to forfeiture pursuant to subsection (a) of this section shall be the same as those provided in part II of subchapter C of chapter 75 of the Internal Revenue Code of 1954 for the enforcement of forfeitures of property subject to forfeiture under any provision of such Code.

68A Stat. 869. 26 USC 7321-7329.

SEC. 107. The Secretary may issue such rules and regulations as he may deem necessary to carry out the provisions of this Act.

Definitions.

SEC. 108. For the purposes of this title—

(1) The term "Secretary" means the Secretary of the Treasury.

(2) The term "clad coin" means a coin composed of three layers of metal, the two outer layers being of identical composition and metallurgically bonded to an inner layer.

(3) The term "cladding" means the outer layers of a clad coin.

(4) The term "core" means the inner layer of a clad coin.

(5) A specification given otherwise than as a limit shall be maintained within such reasonable manufacturing tolerances as the Secretary may specify.

(6) Specifications given for an alloy are by weight.

TITLE II—AMENDMENTS TO EXISTING LAW

San Francisco assay office, minting of coins.

SEC. 201. The first sentence of section 3558 of the Revised Statutes (31 U.S.C. 283) is amended to read: "The business of the United States assay office in San Francisco shall be in all respects similar to that of the assay office of New York except that until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of coins."

77 Stat. 129.

SEC. 202. Section 4 of the Act of August 20, 1963 (Public Law 88-102; 31 U.S.C. 294), is amended by changing "$30,000,000" to read "$45,000,000".

SEC. 203. (a) Section 3 of the Act of December 18, 1942 (56 Stat. 1065; 31 U.S.C. 317c), is amended by striking "minor" each place it appears.

Repeal.

(b) Section 9 of the Act of March 14, 1900 (31 Stat. 48; 31 U.S.C. 320), is repealed.

SEC. 204. (a) Section 3517 of the Revised Statutes (31 U.S.C. 324) is amended to read:

Inscriptions on coins.

"SEC. 3517. Upon one side of all coins of the United States there shall be an impression emblematic of liberty, with an inscription of the word 'Liberty', and upon the reverse side shall be the figure or representation of an eagle, with the inscriptions 'United States of America' and 'E Pluribus Unum' and a designation of the value of the coin; but on the dime, 5-, and 1-cent piece, the figure of the eagle shall be omitted. The motto 'In God we trust' shall be inscribed on all coins. Any coins minted after the enactment of the Coinage Act of 1965 from 900 fine coin silver shall be inscribed with the year 1964. All other coins shall be inscribed with the year of the coinage or issuance unless the Secretary of the Treasury, in order to prevent or alleviate a shortage of coins of any denomination, directs that coins of that denomination continue to be inscribed with the last preceding year inscribed on coins of that denomination, except that coins produced under authority of sections 101(a)(1), 101(a)(2), and 101(a)(3) of the Coinage Act of 1965 shall not be dated earlier than 1965. No mint mark may be inscribed on any coins during the five-year period beginning on the date of enactment of the Coinage Act of 1965, except that coins struck at the Denver mint as authorized by law prior to such date may continue to be inscribed with that mint mark."

Repeal.
78 Stat. 908.

(b) The Act of September 3, 1964 (Public Law 88-580; 31 U.S.C. 324 note), is repealed.

SEC. 205. The first sentence of section 3526 of the Revised Statutes (31 U.S.C. 335) is amended to read: "In order to procure bullion for coinage or to carry out the purposes of section 104 of the Coinage Act of 1965, the Secretary of the Treasury may purchase silver bullion with the bullion fund."

SEC. 206. (a) Section 3528 of the Revised Statutes (31 U.S.C. 340) is amended to read:

Coinage metal fund.

"SEC. 3528. The Secretary of the Treasury may use the coinage metal fund for the purchase of metal for coinage. The gain arising from the coinage of metals purchased out of such fund into coin of a nominal value exceeding the cost of such metals shall be credited to the coinage profit fund. The coinage profit fund shall be charged with the wastage incurred in such coinage, with the cost of distributing such coins, and with such sums as shall from time to time be transferred therefrom to the general fund of the Treasury."

(b) The effect of the amendment made by subsection (a) of this section shall be to redesignate the minor coinage metal fund established under section 3528 of the Revised Statutes as the coinage metal fund, and not to authorize the creation of a new fund.

SEC. 207. The second sentence of section 3542 of the Revised Statutes (31 U.S.C. 355) is amended by changing ", in the case of the superintendent of melting and refining department, one-thousandth of the whole amount of gold, and one and one-half thousandths of the whole amount of silver delivered to him since the last annual settlement, and in the case of the superintendent of coining department, one-thousandth of the whole amount of silver, and one-half thousandth of the whole amount of gold that has been delivered to him by the superintendent" to read "such limitations as the Secretary shall establish". Wastage allowance.

SEC. 208. Section 3550 of the Revised Statutes (31 U.S.C. 366) is repealed. Repeal.

SEC. 209. The second sentence of section 2 of the Act of June 4, 1963 (Public Law 88-36; 31 U.S.C. 405a-1), is amended to read: "The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates." Silver excess. 77 Stat. 54.

SEC. 210. The last sentence of section 43(b)(1) of the Act of May 12, 1933 (Public Law 10, 73d Congress; 31 U.S.C. 462), is repealed. Repeal. 48 Stat. 113.

SEC. 211. (a) Section 485 of title 18 of the United States Code is amended to read: 62 Stat. 708.

"§ 485. Coins or bars

"Whoever falsely makes, forges, or counterfeits any coin or bar in resemblance or similitude of any coin of a denomination higher than 5 cents or any gold or silver bar coined or stamped at any mint or assay office of the United States, or in resemblance or similitude of any foreign gold or silver coin current in the United States or in actual use and circulation as money within the United States; or

"Whoever passes, utters, publishes, sells, possesses, or brings into the United States any false, forged, or counterfeit coin or bar, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any person, or attempts the commission of any offense described in this paragraph—

"Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both." Penalty.

(b) The table of sections at the beginning of chapter 25 of such title is amended by striking

"485. Gold or silver coins or bars."

and inserting

"485. Coins or bars."

SEC. 212. (a) Chapter 17 of title 18 of the United States Code is amended by adding at the end: 18 USC 331-336.

"§ 337. Coins as security for loans

"Whoever lends or borrows money or credit upon the security of such coins of the United States as the Secretary of the Treasury may from time to time designate by proclamation published in the Federal Register, during any period designated in such a proclamation, shall be fined not more than $10,000 or imprisoned not more than one year, or both." Publication in Federal Register.

(b) The table of sections at the beginning of such chapter is amended by adding at the end:

"337. Coins as security for loans."

(c) The amendments made by this section shall apply only with respect to loans made, renewed, or increased on or after the 31st day after the date of enactment of this Act.

TITLE III—JOINT COMMISSION ON THE COINAGE

Membership.

SEC. 301. The President is hereby authorized to establish a Joint Commission on the Coinage to be composed of the Secretary of the Treasury as Chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; the Director of the Mint; the chairman and ranking minority member of the Senate Banking and Currency Committee, and four Members of the Senate, not members of such committee, to be appointed by the President of the Senate; the chairman and ranking minority member of the House Banking and Currency Committee, and four Members of the House of Representatives, not members of such committee, to be appointed by the Speaker; and eight public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States.

Restriction.

Vacancies.

SEC. 302. No public official or Member of Congress serving as a member of the Joint Commission shall continue to serve as such after he has ceased to hold the office by virtue of which he became a member of the Joint Commission. Any vacancy on the Joint Commission shall be filled by the choosing of a successor member in the same manner as his predecessor.

Duties.

SEC. 303. The Joint Commission shall study the progress made in the implementation of the coinage program established by this Act, and shall review from time to time such matters as the needs of the economy for coins, the standards for the coinage, technological developments in metallurgy and coin-selector devices, the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. It shall, from time to time, give its advice and recommendations with respect to these matters to the President, the Secretary of the Treasury, and the Congress.

Appropriation.

SEC. 304. There are authorized to be appropriated to remain available until expended, such amounts as may be necessary to carry out the purposes of this title.

Approved July 23, 1965.

Public Law 89-82

July 24, 1965
[H. R. 9497]

AN ACT

To extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966.

Wheat.

76 Stat. 621.
7 USC 1336.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 336 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following: "Notwithstanding any other provision hereof the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966, may be conducted not later than thirty days after adjournment sine die of the first session of the Eighty-ninth Congress."

Approved July 24, 1965.

Public Law 89-83

AN ACT

To fix the fees payable to the Patent Office, and for other purposes.

July 24, 1965
[H. R. 4185]

Patent fees.

66 Stat. 796.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the items numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, respectively, in subsection (a) of section 41, title 35, United States Code, are amended to read as follows:

"1. On filing each application for an original patent, except in design cases, $65; in addition, on filing or on presentation at any other time, $10 for each claim in independent form which is in excess of one, and $2 for each claim (whether independent or dependent) which is in excess of ten. Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioner.

"2. For issuing each original or reissue patent, except in design cases, $100; in addition, $10 for each page (or portion thereof) of specification as printed, and $2 for each sheet of drawing.

"3. In design cases:

"a. On filing each design application, $20.

"b. On issuing each design patent: For three years and six months, $10; for seven years, $20; and for fourteen years, $30.

"4. On filing each application for the reissue of a patent, $65; in addition, on filing or on presentation at any other time, $10 for each claim in independent form which is in excess of the number of independent claims of the original patent, and $2 for each claim (whether independent or dependent) which is in excess of ten and also in excess of the number of claims of the original patent. Errors in payment of the additional fees may be rectified in accordance with regulations of the Commissioner.

"5. On filing each disclaimer, $15.

"6. On appeal for the first time from the examiner to the Board of Appeals, $50; in addition, on filing a brief in support of the appeal, $50.

"7. On filing each petition for the revival of an abandoned application for a patent or for the delayed payment of the fee for issuing each patent, $15.

"8. For certificate under section 255 or under section 256 of this title, $15.

"9. As available and if in print: For uncertified printed copies of specifications and drawings of patents (except design patents), 50 cents per copy; for design patents, 20 cents per copy; the Commissioner may establish a charge not to exceed $1 per copy for patents in excess of twenty-five pages of drawings and specifications and for plant patents printed in color; special rates for libraries specified in section 13 of this title, $50 for patents issued in one year. The Commissioner may, without charge, provide applicants with copies of specifications and drawings of patents when referred to in a notice under section 132.

"10. For recording every assignment, agreement, or other paper relating to the property in a patent or application, $20; where the document relates to more than one patent or application, $3 for each additional item."

SEC. 2. Section 41 of title 35, United States Code, is further amended by adding the following subsection:

"(c) The fees prescribed by or under this section shall apply to any other Government department or agency, or officer thereof, except that the Commissioner may waive the payment of any fee for services

or materials in cases of occasional or incidental requests by a Government department or agency, or officer thereof."

SEC. 3. Section 31 of the Act approved July 5, 1946 (ch. 540, 60 Stat. 427; U.S.C., title 15, sec. 1113), as amended, is amended to read as follows:

"(a) The following fees shall be paid to the Patent Office under this Act:

"1. On filing each original application for registration of a mark in each class, $35.

"2. On filing each application for renewal in each class, $25; and on filing each application for renewal in each class after expiration of the registration, an additional fee of $5.

15 USC 1058. "3. On filing an affidavit under section 8(a) or section 8(b) for each class, $10.

"4. On filing each petition for the revival of an abandoned application, $15.

"5. On filing opposition or application for cancellation for each class, $25.

"6. On appeal from the examiner in charge of the registration of marks to the Trademark Trial and Appeal Board for each class, $25.

"7. For issuance of a new certificate of registration following change of ownership of a mark or correction of a registrant's mistake, $15.

"8. For certificate of correction of registrant's mistake or amendment after registration, $15.

"9. For certifying in any case, $1.

"10. For filing each disclaimer after registration, $15.

"11. For printed copy of registered mark, 20 cents.

"12. For recording every assignment, agreement, or other paper relating to the property in a registration or application, $20; where the document relates to more than one application or registration, $3 for each additional item.

"13. On filing notice of claim of benefits of this Act for a mark to
15 USC 1062. be published under section 12(c) hereof, $10.

"(b) The Commissioner may establish charges for copies of records, publications, or services furnished by the Patent Office, not specified above.

"(c) The Commissioner may refund any sum paid by mistake or in excess."

66 Stat. 803. SEC. 4. Section 151 of title 35, United States Code, is amended to read as follows:

"§ 151. Issue of patent

"If it appears that applicant is entitled to a patent under the law, a written notice of allowance of the application shall be given or mailed to the applicant. The notice shall specify a sum, constituting the issue fee or a portion thereof, which shall be paid within three months thereafter.

"Upon payment of this sum the patent shall issue, but if payment is not timely made, the application shall be regarded as abandoned.

"Any remaining balance of the issue fee shall be paid within three months from the sending of a notice thereof and, if not paid, the patent shall lapse at the termination of this three-month period. In calculating the amount of a remaining balance, charges for a page or less may be disregarded.

"If any payment required by this section is not timely made, but is submitted with the fee for delayed payment within three months after the due date and sufficient cause is shown for the late payment, it may be accepted by the Commissioner as though no abandonment or lapse had ever occurred."

SEC. 5. Section 154 of title 35, United States Code, is amended by inserting the words "subject to the payment of issue fees as provided for in this title," after the words "seventeen years,". 66 Stat. 804.

SEC. 6. The analysis of chapter 14 of title 35, United States Code, immediately preceding section 151, is amended in the first item thereof by striking out the words "Time of issue of patent" and inserting in lieu thereof "Issue of patent".

SEC. 7. (a) This Act shall take effect three months after its enactment. Effective date.

(b) Items 1, 3, and 4 of section 41(a) of title 35, United States Code, as amended by section 1 of this Act, do not apply in further proceedings in applications filed prior to the effective date of this Act.

(c) Item 2 of section 41(a), as amended by section 1 of this Act, and section 4 of this Act do not apply in cases in which the notice of allowance of the application was sent, or in which a patent issued, prior to the effective date; and, in such cases, the fee due is the fee specified in this title prior to the effective date of this Act.

(d) Item 3 of section 31 of the Trademark Act, as amended by section 3 of this Act, applies only in the case of registrations issued and registrations published under the provisions of section 12(c) of the Trademark Act on or after the effective date of this Act. 60 Stat. 432. 15 USC 1062.

SEC. 8. Section 266 of title 35, United States Code, is repealed. Repeal.

The chapter analysis of chapter 27 of title 35, United States Code, is amended by striking out the following item: 66 Stat. 811.

"266. Issue of patents without fees to Government employees."

SEC. 9. Section 112 of title 35, United States Code, is amended by adding to the second paragraph thereof the following sentence: "A claim may be written in independent or dependent form, and if in dependent form, it shall be construed to include all the limitations of the claim incorporated by reference into the dependent claim."

SEC. 10. Section 282 of title 35, United States Code, is amended by deletion of the first paragraph thereof and substituting therefor the following paragraph: Patents, validity.

"A patent shall be presumed valid. Each claim of a patent (whether in independent or dependent form) shall be presumed valid independently of the validity of other claims; dependent claims shall be presumed valid even though dependent upon an invalid claim. The burden of establishing invalidity of a patent or any claim thereof shall rest on the party asserting it."

Approved July 24, 1965.

Public Law 89-84

AN ACT

To amend the Act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico. July 24, 1965 [S. 2154]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 20, 1964 (78 Stat. 17), is amended as follows: Report to Congress, time extension. 48 USC 731 note.

(1) In section 4 strike out "the opening day of the second session of the Eighty-ninth United States Congress" and insert in lieu thereof "September 30, 1966".

(2) In section 5 strike out "$250,000" and insert in lieu thereof "$465,000". Appropriation.

Approved July 24, 1965.

Public Law 89-85

July 24, 1965
[S. 998]

AN ACT

To amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the Act.

Fish and Wildlife Act of 1956, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(a) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. 742c(a)), is further amended to read as follows:

"(a) The Secretary of the Interior is authorized, under such rules and regulations and under such terms and conditions as he may prescribe, to make loans for financing or refinancing of the cost of purchasing, constructing, equipping, maintaining, repairing, or operating new or used commercial fishing vessels or gear."

Interest rate formula.

SEC. 2. Section 4(b)(1) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. 742c(b)(1)) is amended to read as follows:

"(1) Bear an interest rate of not less than (a) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (b) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purpose."

Conditions for loans.

SEC. 3. Amend section 4(b) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. 742c(b)) by adding at the end thereof the following:

"(4) Loans shall be approved only upon the furnishing of such security or other reasonable assurance of repayment as the Secretary may require considering the objectives of this section which are to upgrade commercial fishing vessels and gear and to provide reasonable financial assistance not otherwise available to commercial fishermen. The proposed collateral for a loan must be of such a nature that, when considered with the integrity and ability of the management, and the applicant's past and prospective earnings, repayment of the loan will be reasonably assured.

"(5) The applicant shall possess the ability, experience, resources, and other qualifications necessary to enable him to operate and maintain new or used commercial fishing vessels or gear.

"(6) Before the Secretary approves a loan for the purchase or construction of a new or used vessel which will not replace an existing commercial fishing vessel, he shall determine that the applicant's contemplated operation of such vessel in a fishery will not cause economic hardship or injury to the efficient vessel operators already operating in that fishery.

U.S. citizenship.

"(7) An applicant for a fishery loan must be a citizen of the United States.

"(8) The United States citizenship of each applicant shall be established within the meaning of section 2 of the Shipping Act, 1916, as amended, to the satisfaction of the Secretary."

41 Stat. 1008.
46 USC 802.
Fisheries loan fund, extension.
72 Stat. 1710.

SEC. 4. Section 4(c) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. sec. 742c(c)), is amended to read as follows:

"(c) There is created a fisheries loan fund, which shall be used by the Secretary as a revolving fund to make loans for financing and refinancing under this section. Any funds received by the Secretary on or before June 30, 1970, in payment of principal or interest on any

loans so made shall be deposited in the fund and be available for making additional loans under this section. The Secretary shall pay from the fund into the miscellaneous receipts of the Treasury, at the close of each fiscal year, interest on the cumulative amount of appropriations available as capital to the fund from and after July 1, 1965, less the average undispersed 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 interest payments so deferred shall themselves bear interest. Any funds received in the fisheries loan fund after June 30, 1970, and any balance remaining therein at the close of June 30, 1970 (at which time the fund shall cease to exist), shall be covered into the Treasury as miscellaneous receipts. There is authorized to be appropriated to the fisheries loan fund the sum of $20,000,000 to provide initial capital."

Effective date.

Remaining funds, availability for loans.

SEC. 5. The provisions of this Act shall be effective July 1, 1965. Notwithstanding the provisions of section 4(c) of the Fish and Wildlife Act of 1956, as amended, any balance remaining in the fisheries loan fund at the close of June 30, 1965, shall be available to make loans for the purposes of section 4 of said Act from July 1, 1965, to the close of June 30, 1970.

Approved July 24, 1965.

Public Law 89-86

AN ACT

To amend sections 20a and 214 of the Interstate Commerce Act.

July 24, 1965
[H. R. 5246]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of section 20a of the Interstate Commerce Act is amended by striking the period at the end and inserting in lieu thereof a colon and the following: "*Provided*, That nothing in this section is to be construed as applying to securities issued or obligations or liabilities assumed by the United States or any instrumentality thereof, or by the District of Columbia or any instrumentality thereof, or by any State of the United States, or by any political subdivision or municipal corporation of any State, or by any instrumentality of one or more States, political subdivisions thereof, or municipal corporations.".

Securities issued by governmental bodies, exemption.
41 Stat. 494.
49 USC 20a.

SEC. 2. Section 214 of the Interstate Commerce Act is amended by striking out the period at the end and inserting in lieu thereof a colon and the following: "*And provided further*, That the provisions of this section shall not apply to the United States or any instrumentality thereof, the District of Columbia, or any instrumentality thereof, any State of the United States or political subdivision or municipal corporation thereof, or any instrumentality of one or more States, political subdivisions thereof, or municipal corporations."

52 Stat. 1240.
49 USC 314.

Approved July 24, 1965.

Public Law 89-87

July 24, 1965
[S. 956]

AN ACT

To amend the Act entitled "An Act to provide better facilities for the enforcement of the customs and immigration laws", to extend construction authority for facilities at Guam and the Virgin Islands of the United States (76 Stat. 87; 19 U.S.C. 68).

Guam and Virgin Islands customs service.
Construction authority.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 26, 1930, as amended (76 Stat. 87; 19 U.S.C. 68), is further amended (1) by inserting after the comma following the word "available" where it appears the first time, the phrase "and for similar purposes in the Virgin Islands of the United States,", and (2) by inserting after the comma following the word "expend", the phrase "and for similar purposes in Guam the Attorney General is hereby authorized to expend,".

Approved July 24, 1965.

Public Law 89-88

July 24, 1965
[H. R. 225]

AN ACT

To amend chapter 1 of title 38, United States Code, and incorporate therein specific statutory authority for the Presidential memorial certificate program.

Veterans.
72 Stat. 1106.
38 USC 101-111.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 1 of title 38, United States Code, is amended by adding at the end thereof the following:

"§ 112. Presidential memorial certificate program

"(a) At the request of the President the Administrator may conduct a program for honoring the memory of deceased veterans, discharged under honorable conditions, by preparing and sending to eligible recipients a certificate bearing the signature of the President and expressing the country's grateful recognition of the veteran's service in the Armed Forces. The award of a certificate to one eligible recipient will not preclude authorization of another certificate if a request is received from some other eligible recipient.

"Eligible recipient."

"(b) For the purpose of this section an 'eligible recipient' means the next of kin, a relative or friend upon request, or an authorized service representative acting on behalf of such relative or friend."

(b) The table of sections at the head of such chapter 1 is amended by adding:

"112. Presidential memorial certificate program."

Approved July 24, 1965.

Public Law 89-89

July 27, 1965
[H. R. 4526]

AN ACT

To extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional five years, ending September 7, 1970.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1214 of title XII of the Merchant Marine Act, 1936, as amended (U.S.C., title 46, sec. 1294), is amended by striking out "fifteen years" and inserting in lieu thereof "twenty years".

64 Stat. 777;
73 Stat. 266.

Approved July 27, 1965.

Public Law 89-90

AN ACT

July 27, 1965
[H. R. 8775]

Making appropriations for the Legislative Branch 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, for the Legislative Branch for the fiscal year ending June 30, 1966, and for other purposes, namely:

Legislative Branch Appropriation Act, 1966.

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, $3,285,985.

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, $2,000; and Minority Leader of the Senate, $2,000; in all, $14,000.

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, $155,440.

CHAPLAIN

Chaplain of the Senate, $15,000.

OFFICE OF THE SECRETARY

For office of the Secretary, $1,323,000, including $145,000 required for the purposes specified and authorized by section 74b of title 2, United States Code: *Provided*, That effective July 1, 1965, the Secretary may employ one chief reporter of debates at $24,024.40 gross per annum, seven reporters of debates at $8,880 basic per annum each, one assistant reporter of debates at $6,120 basic per annum, two

60 Stat. 839.

Contingent fund, payment of emergency employees.

clerks at $4,200 basic per annum each, and six expert transcribers at $3,900 basic per annum each: *Provided further*, That the Secretary is hereafter authorized to obtain, by contract or otherwise, emergency reporters and transcribers as may be necessary, payments therefor to be made from the contingent fund of the Senate, and that Senate Resolution 196, agreed to August 21, 1961, and Senate Resolution 170, agreed to July 15, 1963, are hereby repealed: *Provided further*, That effective July 1, 1965, the basic compensation of the assistant to the Majority and the assistant to the Minority may be fixed by the Majority and Minority Leaders, respectively, at not to exceed $8,160 per annum each.

COMMITTEE EMPLOYEES

For professional and clerical assistance to standing committees and the Select Committee on Small Business, $3,236,145.

CONFERENCE COMMITTEES

For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $95,980.

For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, $95,980.

ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

For administrative and clerical assistants and messenger service for Senators, $15,653,785.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For office of Sergeant at Arms and Doorkeeper, $3,051,230: *Provided*, That effective July 1, 1965, the basic per annum compensation of the foreman of skilled laborers shall be $2,340 in lieu of $2,100; the basic per annum compensation of two skilled laborers shall be $2,100 each in lieu of $1,920 each; and the Sergeant at Arms may employ six additional laborers at $1,680 basic per annum each.

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, $160,885: *Provided*, That effective July 1, 1965, the respective Secretaries may fix the basic compensation of the assistant secretary for the Majority and the assistant secretary for the Minority at not to exceed $8,820 per annum each.

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, $17,815 each; in all, $35,630.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $308,000.

SENATE PROCEDURE

For compiling, preparing, and editing "Senate Procedure", 1964 edition, $4,000, of which amount $2,000 shall be paid to Charles L. Watkins, Parliamentarian Emeritus of the Senate, and $2,000 shall be paid to Floyd M. Riddick, Parliamentarian of the Senate.

CONTINGENT EXPENSES OF THE SENATE

SENATE POLICY COMMITTEES

For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $197,525 for each such committee; in all, $395,050.

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, $42,540.

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 $392,000 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $4,777,390.

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 $2.17 per hour per person, $39,300.

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, $3,222,755 including $246,000, 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, and the maximum allowance per capita of $610 is increased to $800 for the fiscal year 1966 and thereafter: *Provided*, That Senators from States partially or wholly west of the Mississippi River shall be allowed an additional $200 each fiscal year; in all, $90,825.

STATIONERY (REVOLVING FUND)

For stationery for Senators and the President of the Senate, $242,400; and for stationery for committees and officers of the Senate, $13,200; in all, $255,600, 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.

ADMINISTRATIVE PROVISIONS

Long-distance telephone calls.

Effective July 1, 1965, 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, Seventy-ninth Congress, as amended (2 U.S.C. 46c), is amended to read as follows:

77 Stat. 863.

"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 twenty-four hundred strictly official long-distance telephone calls to and from Washington, District of Columbia, aggregating not more than twelve thousand minutes each fiscal year for each Senator and the Vice President of the United States: *Provided*, That not more than twelve hundred calls aggregating not more than six thousand minutes made in the first six months of each fiscal year shall be paid for under this sentence. The toll charges on an additional twelve hundred such calls aggregating not more than six thousand 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 six hundred calls aggregating not more than three thousand minutes made in the first six months of each fiscal year shall be paid for under this sentence."

Effective July 1, 1965, the paragraph relating to payment of toll charges on official long-distance telephone calls, originating and terminating outside of Washington, District of Columbia, under the heading "Contingent Expenses of the Senate" in Public Law 479, Seventy-ninth Congress, as amended (2 U.S.C. 46d), is amended by striking out "$1,800" where it appears therein and inserting in lieu thereof "$2,200".

68 Stat. 400; 72 Stat. 442.

Any Senator may have the Sergeant at Arms compute his total maximum long-distance telephone allowance. The minutes and calls allowance shall be computed on a formula at the maximum rate with all calls considered as being person-to-person from Washington, Dis-

trict of Columbia, and terminating within the Senator's State. Any Senator or group of Senators may then request the Sergeant at Arms to contract for flat-rate long-distance telephone service such as wide area telephone service. All such contract costs shall be charged against their respective telephone allowances, and in no event shall the total cost of any contract service exceed the allowance of the Senator, or the group of Senators sharing any such service; any excess costs to be billed to the Senator. No change from the original form of the allowances or from any contract service shall become effective except upon the first of a month.

Travel.

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 striking out "two" where it first appears therein and inserting in lieu thereof "six".

72 Stat. 443; 73 Stat. 401.

Mileage payments.

Effective July 1, 1965, the second paragraph under the heading "Administrative Provisions" contained in the Legislative Branch Appropriation Act, 1962 (Public Law 87-130, approved August 10, 1961; 2 U.S.C. 127) is amended by inserting at the end thereof the following: "Two additional mileage payments each fiscal year may be made, under the foregoing, to employees in the offices of Senators from States having a population of ten million or more inhabitants."

75 Stat. 323.

Office expenses.

Effective July 1, 1965, the third paragraph under the heading "Administrative Provisions" contained in the Legislative Branch Appropriation Act, 1957 (Public Law 624, Eighty-fourth Congress; 2 U.S.C. 53), is amended by striking out "$150" where it appears therein and inserting in lieu thereof "$300".

70 Stat. 359.

Stationery allowances, report.

The legislative subcommittee of the Committee on Appropriations is hereby directed to study the manner in which stationery allowances are utilized, including the commutation thereof, and to make a report on its findings and recommendations to the Standing Committee on Appropriations no later than February 1, 1966.

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), $14,138,975.

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, $116,700.

OFFICE OF THE PARLIAMENTARIAN

For the Office of the Parliamentarian, $101,875, 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 hereinafter authorized, $10,000. Lewis Deschler is authorized (during the current and succeeding fiscal years until the work is completed) to compile and prepare for printing the parliamentary precedents of the House of Representatives, together with such other materials as may be useful in connection therewith, and an index digest of such precedents and other materials. As so compiled and prepared, such precedents and other materials and index digest shall be printed on such size pages and in such type and format as Lewis Deschler may determine, and in such numbers and for such distribution as may hereafter be provided by law. For the purpose of carrying out such compilation and preparation, Lewis Deschler may (1) subject to the approval of the Speaker, appoint (as employees of the House of Representatives) and fix the compensation (at a per annum rate) of clerical and other personnel, and (2) utilize the services of personnel of the Library of Congress and the Government Printing Office.

OFFICE OF THE CHAPLAIN

For the Office of the Chaplain, $15,000.

OFFICE OF THE CLERK

For the Office of the Clerk, including $140,750 for the House Recording Studio, $1,552,000.

OFFICE OF THE SERGEANT AT ARMS

For the Office of the Sergeant at Arms, including not to exceed twenty police privates on the Capitol Police Board additional to the number otherwise authorized, $1,044,500.

OFFICE OF THE DOORKEEPER

For the Office of Doorkeeper, $1,620,000.

OFFICE OF THE POSTMASTER

For the Office of the Postmaster, including $10,525 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, $512,000.

COMMITTEE EMPLOYEES

For committee employees, including the Committee on Appropriations, $3,800,000.

SPECIAL AND MINORITY EMPLOYEES

For six minority employees, $112,230.

For the office of the majority floor leader, including $3,000 for official expenses of the majority leader, $86,600.

For the office of the minority floor leader, including $3,000 for official expenses of the minority leader, $71,700.

For the office of the majority whip, including $11,300 basic lump-sum clerical assistance, $57,900.

For the office of the minority whip, including $11,300 basic lump-sum clerical assistance, $57,900.

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, $15,900.

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, $14,135.

OFFICIAL REPORTERS OF DEBATES

For official reporters of debates, $254,770.

OFFICIAL REPORTERS TO COMMITTEES

For official reporters to committees, $256,950.

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, $700,000.

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, $295,000.

MEMBERS' CLERK HIRE

For clerk hire, necessarily employed by each Member in the discharge of his official and representative duties, $28,500,000.

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, $140,000.

MISCELLANEOUS ITEMS

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the sum of $226,000 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

54 Stat. 1056.
40 USC 174k.

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; $4,123,000.

REPORTING HEARINGS

For stenographic reports of hearings of committees other than special and select committees, $223,000, of which such amount as may be necessary may be transferred to the appropriation under this heading for the fiscal year 1965.

SPECIAL AND SELECT COMMITTEES

For salaries and expenses of special and select committees authorized by the House, $4,500,000, of which such amount as may be necessary may be transferred to the appropriation under this heading for the fiscal year 1965.

OFFICE OF THE COORDINATOR OF INFORMATION

For salaries and expenses of the Office of the Coordinator of Information, $136,000.

TELEGRAPH AND TELEPHONE

For telegraph and telephone service, exclusive of personal services, $2,400,000.

STATIONERY (REVOLVING FUND)

For a stationery allowance for each Member for the second session of the Eighty-ninth 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 an allowance of $1,500 to be paid to the attending physician in equal monthly installments as authorized by the Act approved June 27, 1940 (54 Stat. 629), and including 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, $20,045.

69 Stat. 512.

POSTAGE STAMP ALLOWANCES

Postage stamp allowances for the second session of the Eighty-ninth 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, $27,000, 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, $12,200.

MAJORITY LEADER'S AUTOMOBILE

For purchase, exchange, hire, driving, maintenance, repair, and operation of an automobile for the majority leader of the House, $12,200.

MINORITY LEADER'S AUTOMOBILE

For purchase, exchange, hire, driving, maintenance, repair, and operation of an automobile for the minority leader of the House, $12,200.

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 Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the Committee, $35,165, 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, $360,000.

JOINT COMMITTEE ON ATOMIC ENERGY

For salaries and expenses of the Joint Committee on Atomic Energy, $347,000.

JOINT COMMITTEE ON PRINTING

For salaries and expenses of the Joint Committee on Printing, $151,000.

CONTINGENT EXPENSES OF THE HOUSE

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

For salaries and expenses of the Joint Committee on Internal Revenue Taxation, $390,000.

JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

For salaries and expenses of the Joint Committee on Immigration and Nationality Policy, $24,100.

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, $80,000.

64 Stat. 798.
50 USC app. 2061.

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; $50,000.

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 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 detective captain detailed under the authority of this paragraph his salary as a detective captain 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 uniformed lieutenant detailed under the authority of this paragraph and serving as acting captain a salary of the rank of captain 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, (3) to

Detailed personnel.

Reimbursement to D.C. government.

55 Stat. 456.
54 Stat. 629.

pay the acting 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, (4) to pay the detective lieutenant detailed under the authority of this paragraph and serving as acting detective captain the salary of the rank of detective captain and such increases in basic compensation as may be subsequently provided by law, and (5) to pay the detective permanently detailed under the authority of this paragraph and serving as acting detective sergeant the salary of the rank of detective sergeant 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, $85,712, 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.

60 Stat. 839.
2 USC 88a.

OFFICIAL MAIL COSTS

For expenses necessary under section 2 of Public Law 286, Eighty-third Congress, $6,512,000, 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 first 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, $587,600.

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.

Hereafter the purchase of supplies and equipment and the procurement of services for all branches under the Architect of the Capitol may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States, as amended, in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed $2,500 in any instance.

41 USC 5.

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, $1,640,000.

68 Stat. 1114.

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; $638,000.

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, $2,458,700.

SENATE GARAGE

For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, $53,800.

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; $3,807,000.

68 Stat. 1114.

41 USC 5.

ACQUISITION OF PROPERTY, CONSTRUCTION, AND EQUIPMENT, ADDITIONAL HOUSE OFFICE BUILDING

To enable the Architect of the Capitol, under the direction of the House Office Building Commission, to continue to provide for the acquisition of property, construction, furnishing and equipment of an additional fireproof office building for the use of the House of Representatives, and other changes and improvements, authorized by the Additional House Office Building Act of 1955 (69 Stat. 41, 42), as amended, $12,500,000.

40 USC 175 note.

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; $2,752,000.

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, $879,000, of which not to exceed $20,000 shall be available for expenditure without regard to section 3709 of the Revised Statutes, as amended.

Not to exceed $265,000 of the unobligated balance of the appropriation under this head for the fiscal year 1964, continued available until June 30, 1965, is hereby continued available until June 30, 1966.

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, $274,000.

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 motor trucks; 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; $467,000.

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, $11,738,000, together with $174,600 to be derived by transfer from the appropriation "Salaries and expenses, National Science Foundation", of which $18,000 shall be retransferred to the appropriation "Distribution of catalog cards, salaries and expenses."

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, including publication of the decisions of the United States courts involving copyrights, $2,021,000.

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), $2,524,000: *Provided*, That no part of this appropriation may 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.

60 Stat. 836.

DISTRIBUTION OF CATALOG CARDS

SALARIES AND EXPENSES

For necessary expenses for the preparation and distribution of catalog cards and other publications of the Library, $4,035,000: *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, $780,000, 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, $2,675,000. 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), $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 of 1954, as amended (7 U.S.C. 1704(n)), to remain available until expended, $1,844,900, of which $1,694,000 shall be available for payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United 72 Stat. 1790.

States: *Provided*, That this appropriation shall be available to reimburse the Department of State for medical services rendered to employees of the Library of Congress stationed abroad.

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.

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.

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; $20,500,000: *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); price lists and bibliographies; repairs to buildings, elevators, and machinery; and supplying books to depository libraries; $5,829,000: *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), with the approval of the Public Printer, only to the extent neces-

43 Stat. 658.

sary 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.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

During the current fiscal year the Government Printing Office 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 685 and 904 of the Eighty-eighth Congress and the provisions of House Resolution 831 of said Congress shall be the permanent law with respect thereto: *Provided further*, That the provisions relating to positions and salaries thereof carried in House Resolutions 127, 248, 258, 312 and 313 of the Eighty-ninth Congress and the provisions of House Resolution 7 of said Congress shall be the permanent law with respect thereto.

46 Stat. 32.
2 USC 60 a note.

This Act may be cited as the "Legislative Branch Appropriation Act, 1966".

Short title.

Approved July 27, 1965.

Public Law 89-91

JOINT RESOLUTION

July 27, 1965
[S. J. Res. 71]

To amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the joint resolution entitled "Joint resolution providing for membership and participation by the United States in the South Pacific Commission and authorizing an appropriation therefor", as amended (22 U.S.C. 280b) is hereby amended to read as follows:

South Pacific Commission.
U. S. participation.

62 Stat. 15;
78 Stat. 7.

"(a) such sums as may be required annually, not to exceed $200,000 per fiscal year, for the payment by the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, as set forth in article XIV of the agreement establishing the South Pacific Commission."

Approved July 27, 1965.

Public Law 89-92

July 27, 1965
[S. 559]

AN ACT

To regulate the labeling of cigarettes, and for other purposes.

Federal Cigarette Labeling and Advertising 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 Cigarette Labeling and Advertising Act".

DECLARATION OF POLICY

SEC. 2. It is the policy of the Congress, and the purpose of this Act, to establish a comprehensive Federal program to deal with cigarette labeling and advertising with respect to any relationship between smoking and health, whereby—

(1) the public may be adequately informed that cigarette smoking may be hazardous to health by inclusion of a warning to that effect on each package of cigarettes; and

(2) commerce and the national economy may be (A) protected to the maximum extent consistent with this declared policy and (B) not impeded by diverse, nonuniform, and confusing cigarette labeling and advertising regulations with respect to any relationship between smoking and health.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "cigarette" means—

(A) any roll of tobacco wrapped in paper or in any substance not containing tobacco, and

(B) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (A).

(2) The term "commerce" means (A) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnston Island and any place outside thereof; (B) commerce between points in any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnston Island, but through any place outside thereof; or (C) commerce wholly within the District of Columbia, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnston Island.

(3) The term "United States", when used in a geographical sense, includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, and Johnston Island.

(4) The term "package" means a pack, box, carton, or container of any kind in which cigarettes are offered for sale, sold, or otherwise distributed to consumers.

(5) The term "person" means an individual, partnership, corporation, or any other business or legal entity.

(6) The term "sale or distribution" includes sampling or any other distribution not for sale.

LABELING

SEC. 4. It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarettes the package of which fails to bear the following statement: "Caution: Cigarette Smoking May Be Hazardous to Your Health." Such statement shall be located in a conspicuous place on every cigarette package and shall appear in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package.

PREEMPTION

SEC. 5. (a) No statement relating to smoking and health, other than the statement required by section 4 of this Act, shall be required on any cigarette package.

(b) No statement relating to smoking and health shall be required in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of this Act.

(c) Except as is otherwise provided in subsections (a) and (b), nothing in this Act shall be construed to limit, restrict, expand, or otherwise affect, the authority of the Federal Trade Commission with respect to unfair or deceptive acts or practices in the advertising of cigarettes, nor to affirm or deny the Federal Trade Commission's holding that it has the authority to issue trade regulation rules or to require an affirmative statement in any cigarette advertisement.

Report to Congress.

(d)(1) The Secretary of Health, Education, and Welfare shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (A) current information on the health consequences of smoking and (B) such recommendations for legislation as he may deem appropriate.

Report to Congress.

(2) The Federal Trade Commission shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (A) the effectiveness of cigarette labeling, (B) current practices and methods of cigarette advertising and promotion, and (C) such recommendations for legislation as it may deem appropriate.

CRIMINAL PENALTY

SEC. 6. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than $10,000.

INJUNCTION PROCEEDINGS

SEC. 7. The several district courts of the United States are invested with jurisdiction, for cause shown, to prevent and restrain violations of this Act upon the application of the Attorney General of the United States acting through the several United States attorneys in their several districts.

CIGARETTES FOR EXPORT

SEC. 8. Packages of cigarettes manufactured, imported, or packaged (1) for export from the United States or (2) for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdic-

tion of the internal revenue laws of the United States shall be exempt from the requirements of this Act, but such exemptions shall not apply to cigarettes manufactured, imported, or packaged for sale or distribution to members or units of the Armed Forces of the United States located outside of the United States.

SEPARABILITY

SEC. 9. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the other provisions of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

TERMINATION OF PROVISIONS AFFECTING REGULATION OF ADVERTISING

SEC. 10. The provisions of this Act which affect the regulation of advertising shall terminate on July 1, 1969, but such termination shall not be construed as limiting, expanding, or otherwise affecting the jurisdiction or authority which the Federal Trade Commission or any other Federal agency had prior to the date of enactment of this Act.

EFFECTIVE DATE

SEC. 11. This Act shall take effect on January 1, 1966.

Approved July 27, 1965.

Public Law 89-93

July 27, 1965
[H. R. 5242]

AN ACT

To amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph.

Motor carrier mergers.

54 Stat. 908.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first subparagraph of paragraph (10) of section 5 of the Interstate Commerce Act (49 U.S.C. 5(10)) is amended to read as follows:

"(10) Nothing in this section shall be construed to require the approval or authorization of the Commission in the case of a transaction within the scope of paragraph (2) where the only parties to the transaction are motor carriers subject to part II (but not including a motor carrier controlled by or affiliated with a carrier as defined in section 1(3)), and where the aggregate gross operating revenues of such carriers have not exceeded $300,000 for a period of twelve consecutive months ending not more than six months preceding the date of the agreement of the parties covering the transaction."

49 USC 301-327.

41 Stat. 474.
49 USC 1.

Effective date.

SEC. 2. The amendment made by the first section of this Act shall apply only with respect to agreements entered into on or after the sixtieth day after the date of enactment of this Act.

Approved July 27, 1965.

Public Law 89-94

AN ACT

July 27, 1965
[S. 1462]

To authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands.

Middle Rio Grande Conservancy District, N. Mex.
Payment contract.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of August 27, 1935 (49 Stat. 887), as amended by section 5 of the Act of June 20, 1938 (52 Stat. 779), by the Act of April 24, 1946 (60 Stat. 121), and by the Act of May 29, 1956 (70 Stat. 221), authorizing the Secretary of the Interior to provide by agreement with the Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for the payment of operation and maintenance charges on newly reclaimed Pueblo Indian lands and lands purchased by the United States by virtue of the Act of June 7, 1924 (43 Stat. 636), as amended, for certain Pueblo Indians, are hereby extended for an additional period of ten years to 1975.

Approved July 27, 1965.

Public Law 89-95

AN ACT

July 27, 1965
[H. R. 5041]

To provide for safety regulation of common carriers by pipeline under the jurisdiction of the Interstate Commerce Commission, and for other purposes.

I.C.C.
Regulation of pipelines.
74 Stat. 808.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the definition of "carrier" contained in section 831 of title 18 of the United States Code, as amended, is hereby amended to read as follows:

"Unless otherwise indicated, 'carrier' means any person engaged in the transportation of passengers or property by land, as a common, contract, or private carrier, or freight forwarder as those terms are used in the Interstate Commerce Act, as amended, and officers, agents, and employees of such carriers."

Approved July 27, 1965.

Public Law 89-96

JOINT RESOLUTION

July 30, 1965
[H. J. Res. 591]

Making continuing appropriations for the fiscal year 1966, and for other purposes.

Continuing appropriations, 1966.
Ante, p. 205.

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, 1965 (Public Law 89-58), is hereby amended by striking out "July 31, 1965" and inserting in lieu thereof "August 31, 1965".

Approved July 30, 1965.

Public Law 89-97

July 30, 1965
[H. R. 6675]

AN ACT

To provide a hospital insurance program for the aged under the Social Security Act with a supplementary medical benefits program and an expanded program of medical assistance, to increase benefits under the Old-Age, Survivors, and Disability Insurance System, to improve the Federal-State public assistance programs, and for other purposes.

Social Security 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, with the following table of contents, may be cited as the "Social Security Amendments of 1965".

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TITLE I—HEALTH INSURANCE FOR THE AGED AND MEDICAL ASSISTANCE

SHORT TITLE

Health Insurance for the Aged Act.

SEC. 100. This title may be cited as the "Health Insurance for the Aged Act".

PART 1—HEALTH INSURANCE BENEFITS FOR THE AGED

ENTITLEMENT TO HOSPITAL INSURANCE BENEFITS

53 Stat. 1362. 42 USC 401-425.

SEC. 101. Title II of the Social Security Act is amended by adding at the end thereof the following new section:

"ENTITLEMENT TO HOSPITAL INSURANCE BENEFITS

"SEC. 226. (a) Every individual who—

"(1) has attained the age of 65, and

"(2) is entitled to monthly insurance benefits under section 202 or is a qualified railroad retirement beneficiary,

42 USC 402.

shall be entitled to hospital insurance benefits under part A of title XVIII for each month for which he meets the condition specified in paragraph (2), beginning with the first month after June 1966 for which he meets the conditions specified in paragraphs (1) and (2).

Post, p. 291.

"(b) For purposes of subsection (a)—

"(1) entitlement of an individual to hospital insurance benefits for a month shall consist of entitlement to have payment made under, and subject to the limitations in, part A of title XVIII on his behalf for inpatient hospital services, post-hospital extended care services, post-hospital home health services, and outpatient hospital diagnostic services (as such terms are defined in part C of title XVIII) furnished him in the United States (or outside the United States in the case of inpatient hospital services furnished under the conditions described in section 1814(f)) during such month; except that (A) no such payment may be made for post-hospital extended care services furnished before January 1967, and (B) no such payment may be made for post-hospital extended care services or post-hospital home health services unless the discharge from the hospital required to qualify such services for payment under part A of title XVIII occurred after June 30, 1966, or on or after the first day of the month in which he attains age 65, whichever is later; and

"(2) an individual shall be deemed entitled to monthly insurance benefits under section 202, or to be a qualified railroad retirement beneficiary, for the month in which he died if he would have been entitled to such benefits, or would have been a qualified railroad retirement beneficiary, for such month had he died in the next month.

"(c) For purposes of this section, the term 'qualified railroad retirement beneficiary' means an individual whose name has been certified to the Secretary by the Railroad Retirement Board under section 21 of the Railroad Retirement Act of 1937. An individual shall cease to be a qualified railroad retirement beneficiary at the close of the month preceding the month which is certified by the

Post, pp. 335, 340.

Railroad Retirement Board as the month in which he ceased to meet the requirements of section 21 of the Railroad Retirement Act of 1937.

Post, pp. 335, 340.

"(d) For entitlement to hospital insurance benefits in the case of certain uninsured individuals, see section 103 of the Social Security Amendments of 1965."

HOSPITAL INSURANCE BENEFITS AND SUPPLEMENTARY MEDICAL INSURANCE BENEFITS

SEC. 102. (a) The Social Security Act is amended by adding after title XVII the following new title:

42 USC 1305.

"TITLE XVIII—HEALTH INSURANCE FOR THE AGED

"PROHIBITION AGAINST ANY FEDERAL INTERFERENCE

"SEC. 1801. Nothing in this title shall be construed to authorize any Federal officer or employee to exercise any supervision or control over the practice of medicine or the manner in which medical services are provided, or over the selection, tenure, or compensation of any officer or employee of any institution, agency, or person providing health services; or to exercise any supervision or control over the administration or operation of any such institution, agency, or person.

"FREE CHOICE BY PATIENT GUARANTEED

"SEC. 1802. Any individual entitled to insurance benefits under this title may obtain health services from any institution, agency, or person qualified to participate under this title if such institution, agency, or person undertakes to provide him such services.

"OPTION TO INDIVIDUALS TO OBTAIN OTHER HEALTH INSURANCE PROTECTION

"SEC. 1803. Nothing contained in this title shall be construed to preclude any State from providing, or any individual from purchasing or otherwise securing, protection against the cost of any health services.

"PART A—HOSPITAL INSURANCE BENEFITS FOR THE AGED

"DESCRIPTION OF PROGRAM

"SEC. 1811. The insurance program for which entitlement is established by section 226 provides basic protection against the costs of hospital and related post-hospital services in accordance with this part for individuals who are age 65 or over and are entitled to retirement benefits under title II of this Act or under the railroad retirement system.

Ante, p. 290.

42 USC 401-425.

"SCOPE OF BENEFITS

"SEC. 1812. (a) The benefits provided to an individual by the insurance program under this part shall consist of entitlement to have payment made on his behalf (subject to the provisions of this part) for—

"(1) inpatient hospital services for up to 90 days during any spell of illness;

"(2) post-hospital extended care services for up to 100 days during any spell of illness;

"(3) post-hospital home health services for up to 100 visits (during the one-year period described in section 1861(n)) after the beginning of one spell of illness and before the beginning of the next; and

Post, p. 320.

"(4) outpatient hospital diagnostic services.

"(b) Payment under this part for services furnished an individual during a spell of illness may not (subject to subsection (c)) be made for—

"(1) inpatient hospital services furnished to him during such spell after such services have been furnished to him for 90 days during such spell;

"(2) post-hospital extended care services furnished to him during such spell after such services have been furnished to him for 100 days during such spell; or

"(3) inpatient psychiatric hospital services furnished to him after such services have been furnished to him for a total of 190 days during his lifetime.

"(c) If an individual is an inpatient of a psychiatric hospital or a tuberculosis hospital on the first day of the first month for which he is entitled to benefits under this part, the days on which he was an inpatient of such a hospital in the 90-day period immediately before such first day shall be included in determining the 90-day limit under subsection (b)(1) (but not in determining the 190-day limit under subsection (b)(3)).

"(d) Payment under this part may be made for post-hospital home health services furnished an individual only during the one-year period described in section 1861(n) following his most recent hospital discharge which meets the requirements of such section, and only for the first 100 visits in such period. The number of visits to be charged for purposes of the limitation in the preceding sentence, in connection with items or services described in section 1861(m), shall be determined in accordance with regulations.

"(e) For purposes of subsections (b), (c), and (d), inpatient hospital services, inpatient psychiatric hospital services, post-hospital extended care services, and post-hospital home health services shall be taken into account only if payment is or would be, except for this section or the failure to comply with the request and certification requirements of or under section 1814(a), made with respect to such services under this part.

"(f) For definition of 'spell of illness', and for definitions of other terms used in this part, see section 1861.

Post, p. 313.

"DEDUCTIBLES AND COINSURANCE

Inpatient hospital services.

"SEC. 1813. (a)(1) The amount payable for inpatient hospital services furnished an individual during any spell of illness shall be reduced by a deduction equal to the inpatient hospital deductible or, if less, the charges imposed with respect to such individual for such services, except that, if the customary charges for such services are greater than the charges so imposed, such customary charges shall be considered to be the charges so imposed. Such amount shall be further reduced by a coinsurance amount equal to one-fourth of the

inpatient hospital deductible for each day (before the 91st day) on which such individual is furnished such services during such spell of illness after such services have been furnished to him for 60 days during such spell.

Outpatient hospital diagnostic services.

"(2) The amount payable for outpatient hospital diagnostic services furnished an individual during a diagnostic study shall be reduced by a deduction equal to the sum of (A) one-half of the inpatient hospital deductible which is applicable to spells of illness beginning in the same calendar year as such diagnostic study and (B) 20 per centum of the remainder of such amount. For purposes of the preceding sentence, a diagnostic study for any individual consists of the outpatient hospital diagnostic services provided by (or under arrangements made by) the same hospital during the 20-day period beginning on the first day (not included in a previous diagnostic study) on which he is entitled to hospital insurance benefits under section 226 and on which outpatient hospital diagnostic services are furnished him.

Ante, p. 290.

"(3) The amount payable to any provider of services under this part for services furnished an individual during any spell of illness shall be further reduced by an amount equal to the cost of the first three pints of whole blood furnished to him as part of such services during such spell of illness.

"(4) The amount payable for post-hospital extended care services furnished an individual during any spell of illness shall be reduced by a coinsurance amount equal to one-eighth of the inpatient hospital deductible for each day (before the 101st day) on which he is furnished such services after such services have been furnished to him for 20 days during such spell.

Inpatient hospital deductible.

"(b)(1) The inpatient hospital deductible which shall be applicable for the purposes of subsection (a) shall be $40 in the case of any spell of illness or diagnostic study beginning before 1969.

"(2) The Secretary shall, between July 1 and October 1 of 1968, and of each year thereafter, determine and promulgate the inpatient hospital deductible which shall be applicable for the purposes of subsection (a) in the case of any spell of illness or diagnostic study beginning during the succeeding calendar year. Such inpatient hospital deductible shall be equal to $40 multiplied by the ratio of (A) the current average per diem rate for inpatient hospital services for the calendar year preceding the promulgation, to (B) the current average per diem rate for such services for 1966. Any amount determined under the preceding sentence which is not a multiple of $4 shall be rounded to the nearest multiple of $4 (or, if it is midway between two multiples of $4, to the next higher multiple of $4). The current average per diem rate for any year shall be determined by the Secretary on the basis of the best information available to him (at the time the determination is made) as to the amounts paid under this part on account of inpatient hospital services furnished during such year, by hospitals which have agreements in effect under section 1866, to individuals who are entitled to hospital insurance benefits under section 226, plus the amount which would have been so paid but for subsection (a)(1) of this section.

Post, p. 327.

"CONDITIONS OF AND LIMITATIONS ON PAYMENT FOR SERVICES

"Requirement of Requests and Certifications

"SEC. 1814. (a) Except as provided in subsection (d), payment for services furnished an individual may be made only to providers of services which are eligible therefor under section 1866 and only if—

Post, p. 327.

"(1) written request, signed by such individual except in cases in which the Secretary finds it impracticable for the individual to do so, is filed for such payment in such form, in such manner, within such time, and by such person or persons as the Secretary may by regulation prescribe;

"(2) a physician certifies (and recertifies, where such services are furnished over a period of time, in such cases, with such frequency, and accompanied by such supporting material, appropriate to the case involved, as may be provided by regulations, except that the first of such recertifications shall be required in each case of inpatient hospital services not later than the 20th day of such period) that—

"(A) in the case of inpatient hospital services (other than inpatient psychiatric hospital services and inpatient tuberculosis hospital services), such services are or were required to be given on an inpatient basis for such individual's medical treatment, or that inpatient diagnostic study is or was medically required and such services are or were necessary for such purpose;

"(B) in the case of inpatient psychiatric hospital services, such services are or were required to be given on an inpatient basis, by or under the supervision of a physician, for the psychiatric treatment of an individual; and (i) such treatment can or could reasonably be expected to improve the condition for which such treatment is or was necessary or (ii) inpatient diagnostic study is or was medically required and such services are or were necessary for such purposes;

"(C) in the case of inpatient tuberculosis hospital services, such services are or were required to be given on an inpatient basis, by or under the supervision of a physician, for the treatment of an individual for tuberculosis; and such treatment can or could reasonably be expected to (i) improve the condition for which such treatment is or was necessary or (ii) render the condition noncommunicable;

"(D) in the case of post-hospital extended care services, such services are or were required to be given on an inpatient basis because the individual needs or needed skilled nursing care on a continuing basis for any of the conditions with respect to which he was receiving inpatient hospital services (or services which would constitute inpatient hospital services if the institution met the requirements of paragraphs (6) and (8) of section 1861(e)) prior to transfer to the extended care facility or for a condition requiring such extended care services which arose after such transfer and while he was still in the facility for treatment of the condition or conditions for which he was receiving such inpatient hospital services;

Post, p. 314.

"(E) in the case of post-hospital home health services, such services are or were required because the individual is or was confined to his home (except when receiving items and services referred to in section 1861(m)(7)) and needed skilled nursing care on an intermittent basis, or physical or speech therapy, for any of the conditions with respect to which he was receiving inpatient hospital services (or services which would constitute inpatient hospital services if the institution met the requirements of paragraphs (6) and (8) of section 1861(e)) or post-hospital extended care services; a plan for furnishing such services to such individual has been established and is periodically reviewed by a physician; and such services are or were furnished while the individual was under the care of a physician; or

Post, p. 319.

"(F) in the case of outpatient hospital diagnostic services, such services are or were required for diagnostic study;

"(3) in the case of inpatient psychiatric hospital services, the services are those which the records of the hospital indicate were furnished to the individual during periods when he was receiving (A) intensive treatment services, (B) admission and related services necessary for a diagnostic study, or (C) equivalent services;

"(4) in the case of inpatient tuberculosis hospital services, the services are those which the records of the hospital indicate were furnished to the individual during periods when he was receiving treatment which could reasonably be expected to (A) improve his condition or (B) render it noncommunicable;

"(5) with respect to inpatient hospital services furnished such individual after the 20th day of a continuous period of such services and with respect to post-hospital extended care services furnished after such day of a continuous period of such services as may be prescribed in or pursuant to regulations, there was not in effect, at the time of admission of such individual to the hospital or extended care facility, as the case may be, a decision under section 1866(d) (based on a finding that utilization review of long-stay cases is not being made in such hospital or facility); and

Post, p. 327.

"(6) with respect to inpatient hospital services or post-hospital extended care services furnished such individual during a continuous period, a finding has not been made (by the physician members of the committee or group, as described in section 1861(k)(4)) pursuant to the system of utilization review that further inpatient hospital services or further post-hospital extended care services, as the case may be, are not medically necessary; except that, if such a finding has been made, payment may be made for such services furnished before the 4th day after the day on which the hospital or extended care facility, as the case may be, received notice of such finding.

To the extent provided by regulations, the certification and recertification requirements of paragraph (2) shall be deemed satisfied where, at a later date, a physician makes certification of the kind provided in subparagraph (A), (B), (C), (D), (E), or (F) of paragraph (2)

(whichever would have applied), but only where such certification is accompanied by such medical and other evidence as may be required by such regulations.

"Reasonable Cost of Services

"(b) The amount paid to any provider of services with respect to services for which payment may be made under this part shall, subject to the provisions of section 1813, be the reasonable cost of such services, as determined under section 1861(v).

Ante, p. 292.
Post, p. 322.

"No Payments to Federal Providers of Services

"(c) No payment may be made under this part (except under subsection (d)) to any Federal provider of services, except a provider of services which the Secretary determines is providing services to the public generally as a community institution or agency; and no such payment may be made to any provider of services for any item or service which such provider is obligated by a law of, or a contract with, the United States to render at public expense.

"Payments for Emergency Hospital Services

"(d) Payments shall also be made to any hospital for inpatient hospital services or outpatient hospital diagnostic services furnished, by the hospital or under arrangements (as defined in section 1861(w)) with it, to an individual entitled to hospital insurance benefits under section 226 even though such hospital does not have an agreement in effect under this title if (A) such services were emergency services and (B) the Secretary would be required to make such payment if the hospital had such an agreement in effect and otherwise met the conditions of payment hereunder. Such payments shall be made only in the amounts provided under subsection (b) and then only if such hospital agrees to comply, with respect to the emergency services provided, with the provisions of section 1866(a).

Ante, p. 290.
Post, p. 327.

"Payment for Inpatient Hospital Services Prior to Notification of Noneligibility

"(e) Notwithstanding that an individual is not entitled to have payment made under this part for inpatient hospital services furnished by any hospital, payment shall be made to such hospital (unless it elects not to receive such payment or, if payment has already been made by or on behalf of such individual, fails to refund such payment within the time specified by the Secretary) for such services which are furnished to the individual prior to notification to such hospital from the Secretary of his lack of entitlement, if such payments are precluded only by reason of section 1812 and if such hospital complies with the requirements of and regulations under this title with respect to such payments, has acted in good faith and without knowledge of such lack of entitlement, and has acted reasonably in assuming entitlement existed. Payment under the preceding sentence may not be made for services furnished an individual pursuant to any admission after the 6th elapsed day (not including as an elapsed day Saturday, Sunday, or a legal holiday) after the day on which such admission occurred.

Ante, p. 291.

"Payment for Certain Emergency Hospital Services Furnished Outside the United States

"(f) The authority contained in subsection (d) shall be applicable to emergency inpatient hospital services furnished an individual by a hospital located outside the United States if—

"(1) such individual was physically present in a place within the United States at the time the emergency which necessitated such inpatient hospital services occurred; and

"(2) such hospital was closer to, or substantially more accessible from, such place than the nearest hospital within the United States which was adequately equipped to deal with, and was available for the treatment of, such individual's illness or injury.

"PAYMENT TO PROVIDERS OF SERVICES

"SEC. 1815. The Secretary shall periodically determine the amount which should be paid under this part to each provider of services with respect to the services furnished by it, and the provider of services shall be paid, at such time or times as the Secretary believes appropriate (but not less often than monthly) and prior to audit or settlement by the General Accounting Office, from the Federal Hospital Insurance Trust Fund, the amounts so determined, with necessary adjustments on account of previously made overpayments or underpayments; except that no such payments shall be made to any provider unless it has furnished such information as the Secretary may request in order to determine the amounts due such provider under this part for the period with respect to which the amounts are being paid or any prior period.

Post, p. 299.

"USE OF PUBLIC AGENCIES OR PRIVATE ORGANIZATIONS TO FACILITATE PAYMENT TO PROVIDERS OF SERVICES

"SEC. 1816. (a) If any group or association of providers of services wishes to have payments under this part to such providers made through a national, State, or other public or private agency or organization and nominates such agency or organization for this purpose, the Secretary is authorized to enter into an agreement with such agency or organization providing for the determination by such agency or organization (subject to such review by the Secretary as may be provided for by the agreement) of the amount of the payments required pursuant to this part to be made to such providers, and for the making of such payments by such agency or organization to such providers. Such agreement may also include provision for the agency or organization to do all or any part of the following: (1) to provide consultative services to institutions or agencies to enable them to establish and maintain fiscal records necessary for purposes of this part and otherwise to qualify as hospitals, extended care facilities, or home health agencies, and (2) with respect to the providers of services which are to receive payments through it (A) to serve as a center for, and communicate to providers, any information or instructions furnished to it by the Secretary, and serve as a channel of communication from providers to the Secretary; (B) to make such audits of the records of providers as may be necessary to insure that proper payments are made under this part; and (C) to perform such other functions as are necessary to carry out this subsection.

"(b) The Secretary shall not enter into an agreement with any agency or organization under this section unless (1) he finds (A) that to do so is consistent with the effective and efficient administration of this part, and (B) that such agency or organization is willing and able to assist the providers to which payments are made through it under this part in the application of safeguards against unnecessary utilization of services furnished by them to individuals entitled to hospital insurance benefits under section 226, and the agreement provides for such assistance, and (2) such agency or organization agrees to furnish to the Secretary such of the information acquired by it in carrying out its agreement under this section as the Secretary may find necessary in performing his functions under this part.

Ante, p. 290.

"(c) An agreement with any agency or organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate, may provide for advances of funds to the agency or organization for the making of payments by it under subsection (a), and shall provide for payment of so much of the cost of administration of the agency or organization as is determined by the Secretary to be necessary and proper for carrying out the functions covered by the agreement.

"(d) If the nomination of an agency or organization as provided in this section is made by a group or association of providers of services, it shall not be binding on members of the group or association which notify the Secretary of their election to that effect. Any provider may, upon such notice as may be specified in the agreement under this section with an agency or organization, withdraw its nomination to receive payments through such agency or organization. Any provider which has withdrawn its nomination, and any provider which has not made a nomination, may elect to receive payments from any agency or organization which has entered into an agreement with the Secretary under this section if the Secretary and such agency or organization agree to it.

"(e) An agreement with the Secretary under this section may be terminated—

"(1) by the agency or organization which entered into such agreement at such time and upon such notice to the Secretary, to the public, and to the providers as may be provided in regulations, or

"(2) by the Secretary at such time and upon such notice to the agency or organization, to the providers which have nominated it for purposes of this section, and to the public, as may be provided in regulations, but only if he finds, after reasonable notice and opportunity for hearing to the agency or organization, that (A) the agency or organization has failed substantially to carry out the agreement, or (B) the continuation of some or all of the functions provided for in the agreement with the agency or organization is disadvantageous or is inconsistent with the efficient administration of this part.

"(f) An agreement with an agency or organization under this section may require any of its officers or employees certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in carrying out the agreement, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

"(g)(1) No individual designated pursuant to an agreement under this section as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

"(2) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by a certifying officer designated as provided in paragraph (1) of this subsection.

"(3) No such agency or organization shall be liable to the United States for any payments referred to in paragraph (1) or (2).

"FEDERAL HOSPITAL INSURANCE TRUST FUND

"SEC. 1817. (a) There is hereby created on the books of the Treasury of the United States a trust fund to be known as the 'Federal Hospital Insurance Trust Fund' (hereinafter in this section referred to as the 'Trust Fund'). The Trust Fund shall consist of such amounts as may be deposited in, or appropriated to, such fund as provided in this part. There are hereby appropriated to the Trust Fund for the fiscal year ending June 30, 1966, and for each fiscal year thereafter, out of any moneys in the Treasury not otherwise appropriated, amounts equivalent to 100 per centum of—

"(1) the taxes imposed by sections 3101(b) and 3111(b) of the Internal Revenue Code of 1954 with respect to wages reported to the Secretary of the Treasury or his delegate pursuant to subtitle F of such Code after December 31, 1965, as determined by the Secretary of the Treasury by applying the applicable rates of tax under such sections to such wages, which wages shall be certified by the Secretary of Health, Education, and Welfare on the basis of records of wages established and maintained by the Secretary of Health, Education, and Welfare in accordance with such reports; and

Post, pp. 395, 396.

26 USC 6001 *et seq.*

"(2) the taxes imposed by section 1401(b) of the Internal Revenue Code of 1954 with respect to self-employment income reported to the Secretary of the Treasury or his delegate on tax returns under subtitle F of such Code, as determined by the Secretary of the Treasury by applying the applicable rate of tax under such section to such self-employment income, which self-employment income shall be certified by the Secretary of Health, Education, and Welfare on the basis of records of self-employment established and maintained by the Secretary of Health, Education, and Welfare in accordance with such returns.

Post, p. 394.

The amounts appropriated by the preceding sentence shall be transferred from time to time from the general fund in the Treasury to the Trust Fund, such amounts to be determined on the basis of estimates by the Secretary of the Treasury of the taxes, specified in the preceding sentence, paid to or deposited into the Treasury; and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or were less than the taxes specified in such sentence.

"(b) With respect to the Trust Fund, there is hereby created a body to be known as the Board of Trustees of the Trust Fund (hereinafter in this section referred to as the 'Board of Trustees') composed of the Secretary of the Treasury, the Secretary of Labor, and the Secretary of Health, Education, and Welfare, all ex officio. The Secretary of the Treasury shall be the Managing Trustee of the Board of Trustees (hereinafter in this section referred to as the

Board of Trustees.

Reports to Congress.

'Managing Trustee'). The Commissioner of Social Security shall serve as the Secretary of the Board of Trustees. The Board of Trustees shall meet not less frequently than once each calendar year. It shall be the duty of the Board of Trustees to—

"(1) Hold the Trust Fund;

"(2) Report to the Congress not later than the first day of March of each year on the operation and status of the Trust Fund during the preceding fiscal year and on its expected operation and status during the current fiscal year and the next 2 fiscal years;

"(3) Report immediately to the Congress whenever the Board is of the opinion that the amount of the Trust Fund is unduly small; and

"(4) Review the general policies followed in managing the Trust Fund, and recommend changes in such policies, including necessary changes in the provisions of law which govern the way in which the Trust Fund is to be managed.

The report provided for in paragraph (2) shall include a statement of the assets of, and the disbursements made from, the Trust Fund during the preceding fiscal year, an estimate of the expected income to, and disbursements to be made from, the Trust Fund during the current fiscal year and each of the next 2 fiscal years, and a statement of the actuarial status of the Trust Fund. Such report shall be printed as a House document of the session of the Congress to which the report is made.

Investment of Fund monies.

"(c) It shall be the duty of the Managing Trustee to invest such portion of the Trust Fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of public-debt obligations for purchase by the Trust Fund. Such obligations issued for purchase by the Trust Fund shall have maturities fixed with due regard for the needs of the Trust Fund and shall bear interest at a rate equal to the average market yield (computed by the Managing Trustee on the basis of market quotations as of the end of the calendar month next preceding the date of such issue) on 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 such calendar month; except that where such average market yield is not a multiple of one-eighth of 1 per centum, the rate of interest on such obligations shall be the multiple of one-eighth of 1 per centum nearest such market yield. The Managing Trustee 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 where he determines that the purchase of such other obligations is in the public interest.

40 Stat. 288.
31 USC 774.

"(d) Any obligations acquired by the Trust Fund (except public-debt obligations issued exclusively to the Trust Fund) may be sold by the Managing Trustee at the market price, and such public-debt obligations may be redeemed at par plus accrued interest.

"(e) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

"(f)(1) The Managing Trustee is directed to pay from time to time from the Trust Fund into the Treasury the amount estimated by him as taxes imposed under section 3101(b) which are subject to refund under section 6413(c) of the Internal Revenue Code of 1954 with respect to wages paid after December 31, 1965. Such taxes shall be determined on the basis of the records of wages established and maintained by the Secretary of Health, Education, and Welfare in accordance with the wages reported to the Secretary of the Treasury or his delegate pursuant to subtitle F of the Internal Revenue Code of 1954, and the Secretary of Health, Education, and Welfare shall furnish the Managing Trustee such information as may be required by the Managing Trustee for such purpose. The payments by the Managing Trustee shall be covered into the Treasury as repayments to the account for refunding internal revenue collections.

Post, p. 395.
Post, p. 393.
26 USC 6001 *et seq.*

"(2) Repayments made under paragraph (1) shall not be available for expenditures but shall be carried to the surplus fund of the Treasury. If it subsequently appears that the estimates under such paragraph in any particular period were too high or too low, appropriate adjustments shall be made by the Managing Trustee in future payments.

"(g) There shall be transferred periodically (but not less often than once each fiscal year) to the Trust Fund from the Federal Old-Age and Survivors Insurance Trust Fund and from the Federal Disability Insurance Trust Fund amounts equivalent to the amounts not previously so transferred which the Secretary of Health, Education, and Welfare shall have certified as overpayments (other than amounts so certified to the Railroad Retirement Board) pursuant to section 1870(b) of this Act. There shall be transferred periodically (but not less often than once each fiscal year) to the Trust Fund from the Railroad Retirement Account amounts equivalent to the amounts not previously so transferred which the Secretary of Health, Education, and Welfare shall have certified as overpayments to the Railroad Retirement Board pursuant to section 1870(b) of this Act.

Post, p. 331.

"(h) The Managing Trustee shall also pay from time to time from the Trust Fund such amounts as the Secretary of Health, Education, and Welfare certifies are necessary to make the payments provided for by this part, and the payments with respect to administrative expenses in accordance with section 201(g)(1).

Post, p. 338.

"PART B—SUPPLEMENTARY MEDICAL INSURANCE BENEFITS FOR THE AGED

"ESTABLISHMENT OF SUPPLEMENTARY MEDICAL INSURANCE PROGRAM FOR THE AGED

"SEC. 1831. There is hereby established a voluntary insurance program to provide medical insurance benefits in accordance with the provisions of this part for individuals 65 years of age or over who elect to enroll under such program, to be financed from premium payments by enrollees together with contributions from funds appropriated by the Federal Government.

"SCOPE OF BENEFITS

"SEC. 1832. (a) The benefits provided to an individual by the insurance program established by this part shall consist of—

"(1) entitlement to have payment made to him or on his behalf (subject to the provisions of this part) for medical and other health services, except those described in paragraph (2)(B); and

"(2) entitlement to have payment made on his behalf (subject to the provisions of this part) for—

"(A) home health services for up to 100 visits during a calendar year; and

"(B) medical and other health services (other than physicians' services unless furnished by a resident or intern of a hospital) furnished by a provider of services or by others under arrangements with them made by a provider of services.

"(b) For definitions of 'spell of illness', 'medical and other health services', and other terms used in this part, see section 1861.

Post, p. 313.

"PAYMENT OF BENEFITS

"SEC. 1833. (a) Subject to the succeeding provisions of this section, there shall be paid from the Federal Supplementary Medical Insurance Trust Fund, in the case of each individual who is covered under the insurance program established by this part and incurs expenses for services with respect to which benefits are payable under this part, amounts equal to—

Post, p. 308.

"(1) in the case of services described in section 1832(a)(1)—80 percent of the reasonable charges for the services; except that an organization which provides medical and other health services (or arranges for their availability) on a prepayment basis may elect to be paid 80 percent of the reasonable cost of services for which payment may be made under this part on behalf of individuals enrolled in such organization in lieu of 80 percent of the reasonable charges for such services if the organization undertakes to charge such individuals no more than 20 percent of such reasonable cost plus any amounts payable by them as a result of subsection (b); and

"(2) in the case of services described in section 1832(a)(2)—80 percent of the reasonable cost of the services (as determined under section 1861(v)).

Post, p. 322.

Deductible provision.

"(b) Before applying subsection (a) with respect to expenses incurred by an individual during any calendar year, the total amount of the expenses incurred by such individual during such year (which would, except for this subsection, constitute incurred expenses from which benefits payable under subsection (a) are determinable) shall be reduced by a deductible of $50; except that (1) the amount of the deductible for such calendar year as so determined shall first be reduced by the amount of any expenses incurred by such individual in the last three months of the preceding calendar year (or regarded under clause (2) as incurred in such preceding year with respect to services furnished in such last three months) and applied toward such individual's deductible under this section for such preceding year, and (2) the amount of any deduction imposed under section 1813(a)(2)(A) with

Ante, p. 292.

respect to outpatient hospital diagnostic services furnished in any calendar year shall be regarded as an incurred expense under this part for such year.

"(c) Notwithstanding any other provision of this part, with respect to expenses incurred in any calendar year in connection with the treatment of mental, psychoneurotic, and personality disorders of an individual who is not an inpatient of a hospital at the time such expenses are incurred, there shall be considered as incurred expenses for purposes of subsections (a) and (b) only whichever of the following amounts is the smaller:

Mental disorders.

"(1) $312.50, or

"(2) 62½ percent of such expenses.

"(d) No payment may be made under this part with respect to any services furnished an individual to the extent that such individual is entitled (or would be entitled except for section 1813 other than subsection (a)(2)(A) thereof) to have payment made with respect to such services under part A.

Ante, p. 292.

"(e) No payment shall be made to any provider of services or other person under this part unless there has been furnished such information as may be necessary in order to determine the amounts due such provider or other person under this part for the period with respect to which the amounts are being paid or for any prior period.

"LIMITATION ON HOME HEALTH SERVICES

"SEC. 1834. (a) Payment under this part may be made for home health services furnished an individual during any calendar year only for 100 visits during such year. The number of visits to be charged for purposes of the limitation in the preceding sentence, in connection with items and services described in section 1861(m), shall be determined in accordance with regulations.

Post, p. 319.

"(b) For purposes of subsection (a), home health services shall be taken into account only if payment under this part is or would be, except for this section or the failure to comply with the request and certification requirements of or under section 1835(a), made with respect to such services.

"PROCEDURE FOR PAYMENT OF CLAIMS OF PROVIDERS OF SERVICES

"SEC. 1835. (a) Payment for services described in section 1832(a)(2) furnished an individual may be made only to providers of services which are eligible therefor under section 1866(a), and only if—

Post, p. 327.

"(1) written request, signed by such individual except in cases in which the Secretary finds it impracticable for the individual to do so, is filed for such payment in such form, in such manner, within such time, and by such person or persons as the Secretary may by regulations prescribe; and

"(2) a physician certifies (and recertifies, where such services are furnished over a period of time, in such cases, with such frequency, and accompanied by such supporting material, appropriate to the case involved, as may be provided by regulations) that—

"(A) in the case of home health services (i) such services are or were required because the individual is or was confined to his home (except when receiving items and services referred to in section 1861(m)(7)) and needed skilled nursing care on an intermittent basis, or physical or speech therapy,

(ii) a plan for furnishing such services to such individual has been established and is periodically reviewed by a physician, and (iii) such services are or were furnished while the individual is or was under the care of a physician; and

"(B) in the case of medical and other health services, such services are or were medically required.

To the extent provided by regulations, the certification and recertification requirements of paragraph (2) shall be deemed satisfied where, at a later date, a physician makes a certification of the kind provided in subparagraph (A) or (B) of paragraph (2) (whichever would have applied), but only where such certification is accompanied by such medical and other evidence as may be required by such regulations.

"(b) No payment may be made under this part to any Federal provider of services or other Federal agency, except a provider of services which the Secretary determines is providing services to the public generally as a community institution or agency; and no such payment may be made to any provider of services or other person for any item or service which such provider or person is obligated by a law of, or a contract with, the United States to render at public expense.

"ELIGIBLE INDIVIDUALS

"SEC. 1836. Every individual who—

"(1) has attained the age of 65, and

"(2) (A) is a resident of the United States, and is either (i) a citizen or (ii) an alien lawfully admitted for permanent residence who has resided in the United States continuously during the 5 years immediately preceding the month in which he applies for enrollment under this part, or (B) is entitled to hospital insurance benefits under part A,

is eligible to enroll in the insurance program established by this part.

"ENROLLMENT PERIODS

"SEC. 1837. (a) An individual may enroll in the insurance program established by this part only in such manner and form as may be prescribed by regulations, and only during an enrollment period prescribed in or under this section.

"(b) (1) No individual may enroll for the first time under this part more than 3 years after the close of the first enrollment period during which he could have enrolled under this part.

"(2) An individual whose enrollment under this part has terminated may not enroll for the second time under this part unless he does so in a general enrollment period (as provided in subsection (e)) which begins within 3 years after the effective date of such termination. No individual may enroll under this part more than twice.

"(c) In the case of individuals who first satisfy paragraphs (1) and (2) of section 1836 before January 1, 1966, the initial general enrollment period shall begin on the first day of the second month which begins after the date of enactment of this title and shall end on March 31, 1966. For purposes of this subsection and subsection (d), an individual who satisfies paragraph (2) of section 1836 solely by reason of subparagraph (B) thereof shall be treated as satisfying such paragraph (2) on the first day on which he is (or on filing application would be) entitled to hospital insurance benefits under part A.

"(d) In the case of an individual who first satisfies paragraphs (1) and (2) of section 1836 on or after January 1, 1966, his initial enroll-

ment period shall begin on the first day of the third month before the month in which he first satisfies such paragraphs and shall end seven months later.

"(e) There shall be a general enrollment period, after the period described in subsection (c), during the period beginning on October 1 and ending on December 31 of each odd-numbered year beginning with 1967.

"COVERAGE PERIOD

"SEC. 1838. (a) The period during which an individual is entitled to benefits under the insurance program established by this part (hereinafter referred to as his 'coverage period') shall begin on whichever of the following is the latest:

"(1) July 1, 1966; or

"(2) (A) in the case of an individual who enrolls pursuant to subsection (d) of section 1837 before the month in which he first satisfies paragraphs (1) and (2) of section 1836, the first day of such month, or

"(B) in the case of an individual who enrolls pursuant to such subsection (d) in the month in which he first satisfies such paragraphs, the first day of the month following the month in which he so enrolls, or

"(C) in the case of an individual who enrolls pursuant to such subsection (d) in the month following the month in which he first satisfies such paragraphs, the first day of the second month following the month in which he so enrolls, or

"(D) in the case of an individual who enrolls pursuant to such subsection (d) more than one month following the month in which he satisfies such paragraphs, the first day of the third month following the month in which he so enrolls, or

"(E) in the case of an individual who enrolls pursuant to subsection (e) of section 1837, the July 1 following the month in which he so enrolls.

"(b) An individual's coverage period shall continue until his enrollment has been terminated—

"(1) by the filing of notice, during a general enrollment period described in section 1837(e), that the individual no longer wishes to participate in the insurance program established by this part, or

"(2) for nonpayment of premiums.

The termination of a coverage period under paragraph (1) shall take effect at the close of December 31 of the year in which the notice is filed. The termination of a coverage period under paragraph (2) shall take effect on a date determined under regulations, which may be determined so as to provide a grace period (not in excess of 90 days) in which overdue premiums may be paid and coverage continued.

"(c) No payments may be made under this part with respect to the expenses of an individual unless such expenses were incurred by such individual during a period which, with respect to him, is a coverage period.

"AMOUNTS OF PREMIUMS

"SEC. 1839. (a) The monthly premium of each individual enrolled under this part for each month before 1968 shall be $3.

"(b)(1) The monthly premium of each individual enrolled under this part for each month after 1967 shall be the amount determined under paragraph (2).

"(2) The Secretary shall, between July 1 and October 1 of 1967 and of each odd-numbered year thereafter, determine and promulgate the dollar amount which shall be applicable for premiums for months occurring in either of the two succeeding calendar years. Such dollar amount shall be such amount as the Secretary estimates to be necessary so that the aggregate premiums for such two succeeding calendar years will equal one-half of the total of the benefits and administrative costs which he estimates will be payable from the Federal Supplementary Medical Insurance Trust Fund for such two succeeding calendar years. In estimating aggregate benefits payable for any period, the Secretary shall include an appropriate amount for a contingency margin.

Post, p. 308.

"(c) In the case of an individual whose coverage period began pursuant to an enrollment after his initial enrollment period (determined pursuant to subsection (c) or (d) of section 1837), the monthly premium determined under subsection (b) shall be increased by 10 percent of the monthly premium so determined for each full 12 months in which he could have been but was not enrolled. For purposes of the preceding sentence, there shall be taken into account (1) the months which elapsed between the close of his initial enrollment period and the close of the enrollment period in which he enrolled, plus (in the case of an individual who enrolls for a second time) (2) the months which elapsed between the date of the termination of his first coverage period and the close of the enrollment period in which he enrolled for the second time.

"(d) If any monthly premium determined under the foregoing provisions of this section is not a multiple of 10 cents, such premium shall be rounded to the nearest multiple of 10 cents.

"PAYMENT OF PREMIUMS

"SEC. 1840. (a) (1) In the case of an individual who is entitled to monthly benefits under section 202, his monthly premiums under this part shall (except as provided in subsection (d)) be collected by deducting the amount thereof from the amount of such monthly benefits. Such deduction shall be made in such manner and at such times as the Secretary shall by regulation prescribe.

53 Stat. 1363.
42 USC 402.

"(2) The Secretary of the Treasury shall, from time to time, transfer from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund to the Federal Supplementary Medical Insurance Trust Fund the aggregate amount deducted under paragraph (1) for the period to which such transfer relates from benefits under section 202 which are payable from such Trust Fund. Such transfer shall be made on the basis of a certification by the Secretary of Health, Education, and Welfare and shall be appropriately adjusted to the extent that prior transfers were too great or too small.

70 Stat. 819.
42 USC 401.
Post, p. 308.

"(b) (1) In the case of an individual who is entitled to receive for a month an annuity or pension under the Railroad Retirement Act of 1937, his monthly premiums under this part shall (except as provided in subsection (d)) be collected by deducting the amount thereof from such annuity or pension. Such deduction shall be made in such manner and at such times as the Secretary shall by regulations prescribe. Such regulations shall be prescribed only after consultation with the Railroad Retirement Board.

Railroad Retirement Act annuitants.
Post, pp. 335, 340, 400.

"(2) The Secretary of the Treasury shall, from time to time, transfer from the Railroad Retirement Account to the Federal Supplementary Medical Insurance Trust Fund the aggregate amount

45 USC 228o.

deducted under paragraph (1) for the period to which such transfer relates. Such transfers shall be made on the basis of a certification by the Railroad Retirement Board and shall be appropriately adjusted to the extent that prior transfers were too great or too small.

"(c) In the case of an individual who is entitled both to monthly benefits under section 202 and to an annuity or pension under the Railroad Retirement Act of 1937 at the time he enrolls under this part, subsection (a) shall apply so long as he continues to be entitled both to such benefits and such annuity or pension. In the case of an individual who becomes entitled both to such benefits and such an annuity or pension after he enrolls under this part, subsection (a) shall apply if the first month for which he was entitled to such benefits was the same as or earlier than the first month for which he was entitled to such annuity or pension, and otherwise subsection (b) shall apply.

42 USC 402.
Post, pp. 335, 340, 400.

"(d) If an individual to whom subsection (a) or (b) applies estimates that the amount which will be available for deduction under such subsection for any premium payment period will be less than the amount of the monthly premiums for such period, he may (under regulations) pay to the Secretary such portion of the monthly premiums for such period as he desires.

"(e)(1) In the case of an individual receiving an annuity under the Civil Service Retirement Act, or other Act administered by the Civil Service Commission providing retirement or survivorship protection, to whom neither subsection (a) nor subsection (b) applies, his monthly premiums under this part (and the monthly premiums of the spouse of such individual under this part if neither subsection (a) nor subsection (b) applies to such spouse and if such individual agrees) shall, upon notice from the Secretary of Health, Education, and Welfare to the Civil Service Commission, be collected by deducting the amount thereof from each installment of such annuity. Such deduction shall be made in such manner and at such times as the Civil Service Commission may determine. The Civil Service Commission shall furnish such information as the Secretary of Health, Education, and Welfare may reasonably request in order to carry out his functions under this part with respect to individuals to whom this subsection applies.

Civil Service Retirement Act annuitants.
70 Stat. 743.
5 USC 2251 note.

"(2) The Secretary of the Treasury shall, from time to time, but not less often than quarterly, transfer from the Civil Service Retirement and Disability Fund, or the account (if any) applicable in the case of such other Act administered by the Civil Service Commission, to the Federal Supplementary Medical Insurance Trust Fund the aggregate amount deducted under paragraph (1) for the period to which such transfer relates. Such transfer shall be made on the basis of a certification by the Civil Service Commission and shall be appropriately adjusted to the extent that prior transfers were too great or too small.

"(f) In the case of an individual who participates in the insurance program established by this part but with respect to whom none of the preceding provisions of this section applies, or with respect to whom subsection (d) applies, the premiums shall be paid to the Secretary at such times, and in such manner, as the Secretary shall by regulations prescribe.

"(g) Amounts paid to the Secretary under subsection (d) or (f) shall be deposited in the Treasury to the credit of the Federal Supplementary Medical Insurance Trust Fund.

"(h) In the case of an individual who participates in the insurance program established by this part, premiums shall be payable for the period commencing with the first month of his coverage period and ending with the month in which he dies or, if earlier, in which his coverage under such program terminates.

"FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND

"SEC. 1841. (a) There is hereby created on the books of the Treasury of the United States a trust fund to be known as the 'Federal Supplementary Medical Insurance Trust Fund' (hereinafter in this section referred to as the 'Trust Fund'). The Trust Fund shall consist of such amounts as may be deposited in, or appropriated to, such fund as provided in this part.

Board of Trustees.

"(b) With respect to the Trust Fund, there is hereby created a body to be known as the Board of Trustees of the Trust Fund (hereinafter in this section referred to as the 'Board of Trustees') composed of the Secretary of the Treasury, the Secretary of Labor, and the Secretary of Health, Education, and Welfare, all ex officio. The Secretary of the Treasury shall be the Managing Trustee of the Board of Trustees (hereinafter in this section referred to as the 'Managing Trustee'). The Commissioner of Social Security shall serve as the Secretary of the Board of Trustees. The Board of Trustees shall meet not less frequently than once each calendar year. It shall be the duty of the Board of Trustees to—

Reports to Congress.

"(1) Hold the Trust Fund;

"(2) Report to the Congress not later than the first day of March of each year on the operation and status of the Trust Fund during the preceding fiscal year and on its expected operation and status during the current fiscal year and the next 2 fiscal years;

"(3) Report immediately to the Congress whenever the Board is of the opinion that the amount of the Trust Fund is unduly small; and

"(4) Review the general policies followed in managing the Trust Fund, and recommend changes in such policies, including necessary changes in the provisions of law which govern the way in which the Trust Fund is to be managed.

The report provided for in paragraph (2) shall include a statement of the assets of, and the disbursements made from, the Trust Fund during the preceding fiscal year, an estimate of the expected income to, and disbursements to be made from, the Trust Fund during the current fiscal year and each of the next 2 fiscal years, and a statement of the actuarial status of the Trust Fund. Such report shall be printed as a House document of the session of the Congress to which the report is made.

Investment of Fund monies.

"(c) It shall be the duty of the Managing Trustee to invest such portion of the Trust Fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of public-debt obligations for purchase by the Trust Fund. Such obligations issued for purchase by the Trust Fund shall have matu-

40 Stat. 288.
31 USC 774.

rities fixed with due regard for the needs of the Trust Fund and shall bear interest at a rate equal to the average market yield (computed by the Managing Trustee on the basis of market quotations as of the end of the calendar month next preceding the date of such issue) on 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 such calendar month; except that where such average market yield is not a multiple of one-eighth of 1 per centum, the rate of interest on such obligations shall be the multiple of one-eighth of 1 per centum nearest such market yield. The Managing Trustee 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 where he determines that the purchase of such other obligations is in the public interest.

"(d) Any obligations acquired by the Trust Fund (except public-debt obligations issued exclusively to the Trust Fund) may be sold by the Managing Trustee at the market price, and such public-debt obligations may be redeemed at par plus accrued interest.

"(e) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

"(f) There shall be transferred periodically (but not less often than once each fiscal year) to the Trust Fund from the Federal Old-Age and Survivors Insurance Trust Fund and from the Federal Disability Insurance Trust Fund amounts equivalent to the amounts not previously so transferred which the Secretary of Health, Education, and Welfare shall have certified as overpayments (other than amounts so certified to the Railroad Retirement Board) pursuant to section 1870(b) of this Act. There shall be transferred periodically (but not less often than once each fiscal year) to the Trust Fund from the Railroad Retirement Account amounts equivalent to the amounts not previously so transferred which the Secretary of Health, Education, and Welfare shall have certified as overpayments to the Railroad Retirement Board pursuant to section 1870(b) of this Act.

Post, p. 331.

"(g) The Managing Trustee shall pay from time to time from the Trust Fund such amounts as the Secretary of Health, Education, and Welfare certifies are necessary to make the payments provided for by this part, and the payments with respect to administrative expenses in accordance with section 201(g)(1).

Post, p. 338.

"(h) The Managing Trustee shall pay from time to time from the Trust Fund such amounts as the Secretary of Health, Education, and Welfare certifies are necessary to pay the costs incurred by the Civil Service Commission in making deductions pursuant to section 1840(e). During each fiscal year, or after the close of such fiscal year, the Civil Service Commission shall certify to the Secretary the amount of the costs it incurred in making such deductions, and such certified amount shall be the basis for the amount of such costs certified by the Secretary to the Managing Trustee.

"USE OF CARRIERS FOR ADMINISTRATION OF BENEFITS

"SEC. 1842. (a) In order to provide for the administration of the benefits under this part with maximum efficiency and convenience for individuals entitled to benefits under this part and for providers of services and other persons furnishing services to such individuals, and with a view to furthering coordination of the administration of the

benefits under part A and under this part, the Secretary is authorized to enter into contracts with carriers, including carriers with which agreements under section 1816 are in effect, which will perform some or all of the following functions (or, to the extent provided in such contracts, will secure performance thereof by other organizations); and, with respect to any of the following functions which involve payments for physicians' services, the Secretary shall to the extent possible enter into such contracts:

Ante, p. 297.

"(1)(A) make determinations of the rates and amounts of payments required pursuant to this part to be made to providers of services and other persons on a reasonable cost or reasonable charge basis (as may be applicable);

"(B) receive, disburse, and account for funds in making such payments; and

"(C) make such audits of the records of providers of services as may be necessary to assure that proper payments are made under this part;

"(2)(A) determine compliance with the requirements of section 1861(k) as to utilization review; and

"(B) assist providers of services and other persons who furnish services for which payment may be made under this part in the development of procedures relating to utilization practices, make studies of the effectiveness of such procedures and methods for their improvement, assist in the application of safeguards against unnecessary utilization of services furnished by providers of services and other persons to individuals entitled to benefits under this part, and provide procedures for and assist in arranging, where necessary, the establishment of groups outside hospitals (meeting the requirements of section 1861(k)(2)) to make reviews of utilization;

Post, p. 318.

"(3) serve as a channel of communication of information relating to the administration of this part; and

"(4) otherwise assist, in such manner as the contract may provide, in discharging administrative duties necessary to carry out the purposes of this part.

Contracts with carriers.
41 USC 5.

"(b)(1) Contracts with carriers under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes or any other provision of law requiring competitive bidding.

"(2) No such contract shall be entered into with any carrier unless the Secretary finds that such carrier will perform its obligations under the contract efficiently and effectively and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

"(3) Each such contract shall provide that the carrier—

"(A) will take such action as may be necessary to assure that, where payment under this part for a service is on a cost basis, the cost is reasonable cost (as determined under section 1861(v));

Post, p. 322.

"(B) will take such action as may be necessary to assure that, where payment under this part for a service is on a charge basis, (i) such charge will be reasonable and not higher than the charge applicable, for a comparable service and under comparable circumstances, to the policyholders and subscribers of the carrier, and (ii) such payment will be made on the basis of a receipted bill, or on the basis of an assignment under the terms of which the reasonable charge is the full charge for the service;

"(C) will establish and maintain procedures pursuant to which an individual enrolled under this part will be granted an oppor-

tunity for a fair hearing by the carrier when requests for payment under this part with respect to services furnished him are denied or are not acted upon with reasonable promptness or when the amount of such payment is in controversy;

"(D) will furnish to the Secretary such timely information and reports as he may find necessary in performing his functions under this part; and

"(E) will maintain such records and afford such access thereto as the Secretary finds necessary to assure the correctness and verification of the information and reports under subparagraph (D) and otherwise to carry out the purposes of this part;

and shall contain such other terms and conditions not inconsistent with this section as the Secretary may find necessary or appropriate. In determining the reasonable charge for services for purposes of this paragraph, there shall be taken into consideration the customary charges for similar services generally made by the physician or other person furnishing such services, as well as the prevailing charges in the locality for similar services.

"(4) Each contract under this section shall be for a term of at least one year, and may be made automatically renewable from term to term in the absence of notice by either party of intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after such reasonable notice and opportunity for hearing to the carrier involved as he may provide in regulations) if he finds that the carrier has failed substantially to carry out the contract or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the insurance program established by this part.

"(c) Any contract entered into with a carrier under this section shall provide for advances of funds to the carrier for the making of payments by it under this part, and shall provide for payment of the cost of administration of the carrier, as determined by the Secretary to be necessary and proper for carrying out the functions covered by the contract.

"(d) Any contract with a carrier under this section may require such carrier or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

"(e)(1) No individual designated pursuant to a contract under this section as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

"(2) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by a certifying officer designated as provided in paragraph (1) of this subsection.

"(3) No such carrier shall be liable to the United States for any payments referred to in paragraph (1) or (2).

"(f) For purposes of this part, the term 'carrier' means— "Carrier."

"(1) with respect to providers of services and other persons, 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

"(2) with respect to providers of services only, any agency or organization (not described in paragraph (1)) with which an agreement is in effect under section 1816.

Ante, p. 297.

"STATE AGREEMENTS FOR COVERAGE OF ELIGIBLE INDIVIDUALS WHO ARE RECEIVING MONEY PAYMENTS UNDER PUBLIC ASSISTANCE PROGRAMS

"SEC. 1843. (a) The Secretary shall, at the request of a State made before January 1, 1968, enter into an agreement with such State pursuant to which all eligible individuals in either of the coverage groups described in subsection (b) (as specified in the agreement) will be enrolled under the program established by this part.

"(b) An agreement entered into with any State pursuant to subsection (a) may be applicable to either of the following coverage groups:

"(1) individuals receiving money payments under the plan of such State approved under title I or title XVI; or

"(2) individuals receiving money payments under all of the plans of such State approved under titles I, IV, X, XIV, and XVI;

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

except that 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.

42 USC 401.

Post, pp. 335, 340, 400.

"(c) For purposes of this section, an individual shall be treated as an eligible individual only if he is an eligible individual (within the meaning of section 1836) on the date an agreement covering him is entered into under subsection (a) or he becomes an eligible individual (within the meaning of such section) at any time after such date and before January 1, 1968; and he shall be treated as receiving money payments described in subsection (b) if he receives such payments for the month in which the agreement is entered into or any month thereafter before January 1968.

Ante, p. 304.

"(d) In the case of any individual enrolled pursuant to this section—

"(1) the monthly premium to be paid by the State shall be determined under section 1839 (without any increase under subsection (c) thereof);

"(2) his coverage period shall begin on whichever of the following is the latest:

"(A) July 1, 1966;

"(B) the first day of the third month following the month in which the State agreement is entered into;

"(C) the first day of the first month in which he is both an eligible individual and a member of a coverage group specified in the agreement under this section; or

"(D) such date (not later than January 1, 1968) as may be specified in the agreement; and

"(3) his coverage period attributable to the agreement with the State under this section shall end on the last day of whichever of the following first occurs:

"(A) the month in which he is determined by the State agency to have become ineligible for money payments of a kind specified in the agreement, or

"(B) the month preceding the first month for which he becomes entitled to monthly benefits under title II or to an annuity or pension under the Railroad Retirement Act of 1937.

42 USC 401.

Post, pp. 335, 340, 400.

"(e) Any individual whose coverage period attributable to the State agreement is terminated pursuant to subsection (d)(3) shall be deemed for purposes of this part (including the continuation of his coverage period under this part) to have enrolled under section 1837 in the initial general enrollment period provided by section 1837(c).

Ante, p. 304.

"(f) With respect to eligible individuals receiving money payments under the plan of a State approved under title I, IV, X, XIV, or XVI, if the agreement entered into under this section so provides, the term 'carrier' as defined in section 1842(f) also includes the State agency, specified in such agreement, which administers or supervises the administration of the plan of such State approved under title I, XVI, or XIX. The agreement shall also contain such provisions as will facilitate the financial transactions of the State and the carrier with respect to deductions, coinsurance, and otherwise, and as will lead to economy and efficiency of operation, with respect to individuals receiving money payments under plans of the State approved under titles I, IV, X, XIV, and XVI.

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

"APPROPRIATIONS TO COVER GOVERNMENT CONTRIBUTIONS AND CONTINGENCY RESERVE

"SEC. 1844. (a) There are authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, to the Federal Supplementary Medical Insurance Trust Fund, a Government contribution equal to the aggregate premiums payable under this part.

"(b) In order to assure prompt payment of benefits provided under this part and the administrative expenses thereunder during the early months of the program established by this part, and to provide a contingency reserve, there is also authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to remain available through the calendar year 1967 for repayable advances (without interest) to the Trust Fund, an amount equal to $18 multiplied by the number of individuals (as estimated by the Secretary) who could be covered in July 1966 by the insurance program established by this part if they had theretofore enrolled under this part.

"PART C—MISCELLANEOUS PROVISIONS

"DEFINITIONS OF SERVICES, INSTITUTIONS, ETC.

"SEC. 1861. For purposes of this title—

"Spell of Illness

"(a) The term 'spell of illness' with respect to any individual means a period of consecutive days—

"(1) beginning with the first day (not included in a previous spell of illness) (A) on which such individual is furnished inpatient hospital services or extended care services, and (B) which occurs in a month for which he is entitled to benefits under part A, and

Ante, p. 291.

"(2) ending with the close of the first period of 60 consecutive days thereafter on each of which he is neither an inpatient of a hospital nor an inpatient of an extended care facility.

"Inpatient Hospital Services

"(b) The term 'inpatient hospital services' means the following items and services furnished to an inpatient of a hospital and (except as provided in paragraph (3)) by the hospital—

"(1) bed and board;

"(2) such nursing services and other related services, such use of hospital facilities, and such medical social services as are ordinarily furnished by the hospital for the care and treatment of inpatients, and such drugs, biologicals, supplies, appliances, and equipment, for use in the hospital, as are ordinarily furnished by such hospital for the care and treatment of inpatients; and

"(3) such other diagnostic or therapeutic items or services, furnished by the hospital or by others under arrangements with them made by the hospital, as are ordinarily furnished to inpatients either by such hospital or by others under such arrangements;

excluding, however—

"(4) medical or surgical services provided by a physician, resident, or intern; and

"(5) the services of a private-duty nurse or other private-duty attendant.

Paragraph (4) shall not apply to services provided in the hospital by an intern or a resident-in-training under a teaching program approved by the Council on Medical Education of the American Medical Association or, in the case of an osteopathic hospital, approved by the Committee on Hospitals of the Bureau of Professional Education of the American Osteopathic Association, or, in the case of services in a hospital or osteopathic hospital by an intern or resident-in-training in the field of dentistry, approved by the Council on Dental Education of the American Dental Association.

"Inpatient Psychiatric Hospital Services

"(c) The term 'inpatient psychiatric hospital services' means inpatient hospital services furnished to an inpatient of a psychiatric hospital.

"Inpatient Tuberculosis Hospital Services

"(d) The term 'inpatient tuberculosis hospital services' means inpatient hospital services furnished to an inpatient of a tuberculosis hospital.

"Hospital

Ante, p. 296.

"(e) The term 'hospital' (except for purposes of section 1814(d), subsection (a)(2) of this section, paragraph (7) of this subsection, and subsections (i) and (n) of this section) means an institution which—

"(1) is primarily engaged in providing, by or under the supervision of physicians, to inpatients (A) diagnostic services and therapeutic services for medical diagnosis, treatment, and care of injured, disabled, or sick persons, or (B) rehabilitation services for the rehabilitation of injured, disabled, or sick persons;

"(2) maintains clinical records on all patients;

"(3) has bylaws in effect with respect to its staff of physicians;

"(4) has a requirement that every patient must be under the care of a physician;

"(5) provides 24-hour nursing service rendered or supervised by a registered professional nurse, and has a licensed practical nurse or registered professional nurse on duty at all times;

"(6) has in effect a hospital utilization review plan which meets the requirements of subsection (k);

"(7) in the case of an institution in any State in which State or applicable local law provides for the licensing of hospitals, (A) is licensed pursuant to such law or (B) is approved, by the agency of such State or locality responsible for licensing hospitals, as meeting the standards established for such licensing; and

"(8) meets such other requirements as the Secretary finds necessary in the interest of the health and safety of individuals who are furnished services in the institution, except that such other requirements may not be higher than the comparable requirements prescribed for the accreditation of hospitals by the Joint Commission on Accreditation of Hospitals (subject to the second sentence of section 1863).

Post, p. 326.

For purposes of subsection (a)(2), such term includes any institution which meets the requirements of paragraph (1) of this subsection. For purposes of sections 1814(d) (including determination of whether an individual received inpatient hospital services for purposes of such section), and subsections (i) and (n) of this section, such term includes any institution which meets the requirements of paragraphs (1), (2), (3), (4), (5), and (7) of this subsection. Notwithstanding the preceding provisions of this subsection, such term shall not, except for purposes of subsection (a)(2), include any institution which is primarily for the care and treatment of mental diseases or tuberculosis unless it is a tuberculosis hospital (as defined in subsection (g)) or unless it is a psychiatric hospital (as defined in subsection (f)). The term 'hospital' also includes a Christian Science sanatorium operated, or listed and certified, by the First Church of Christ, Scientist, Boston, Massachusetts, but only with respect to items and services ordinarily furnished by such institution to inpatients, and payment may be made with respect to services provided by or in such an institution only to such extent and under such conditions, limitations, and requirements (in addition to or in lieu of the conditions, limitations, and requirements otherwise applicable) as may be provided in regulations. For provisions deeming certain requirements of this subsection to be met in the case of accredited institutions, see section 1865.

Ante, p. 296.

"Psychiatric Hospital

"(f) The term 'psychiatric hospital' means an institution which—

"(1) is primarily engaged in providing, by or under the supervision of a physician, psychiatric services for the diagnosis and treatment of mentally ill persons;

"(2) satisfies the requirements of paragraphs (3) through (8) of subsection (e);

"(3) maintains clinical records on all patients and maintains such records as the Secretary finds to be necessary to determine the degree and intensity of the treatment provided to individuals entitled to hospital insurance benefits under part A;

"(4) meets such staffing requirements as the Secretary finds necessary for the institution to carry out an active program of treatment for individuals who are furnished services in the institution; and

"(5) is accredited by the Joint Commission on Accreditation of Hospitals.

In the case of an institution which satisfies paragraphs (1) and (2) of the preceding sentence and which contains a distinct part which also satisfies paragraphs (3) and (4) of such sentence, such distinct part shall be considered to be a 'psychiatric hospital' if the institution is accredited by the Joint Commission on Accreditation of Hospitals or if such distinct part meets requirements equivalent to such accreditation requirements as determined by the Secretary.

"Tuberculosis Hospital

"(g) The term 'tuberculosis hospital' means an institution which—

"(1) is primarily engaged in providing, by or under the supervision of a physician, medical services for the diagnosis and treatment of tuberculosis;

"(2) satisfies the requirements of paragraphs (3) through (8) of subsection (e);

"(3) maintains clinical records on all patients and maintains such records as the Secretary finds to be necessary to determine the degree and intensity of the treatment provided to individuals covered by the insurance program established by part A;

"(4) meets such staffing requirements as the Secretary finds necessary for the institution to carry out an active program of treatment for individuals who are furnished services in the institution; and

"(5) is accredited by the Joint Commission on Accreditation of Hospitals.

In the case of an institution which satisfies paragraphs (1) and (2) of the preceding sentence and which contains a distinct part which also satisfies paragraphs (3) and (4) of such sentence, such distinct part shall be considered to be a 'tuberculosis hospital' if the institution is accredited by the Joint Commission on Accreditation of Hospitals or if such distinct part meets requirements equivalent to such accreditation requirements as determined by the Secretary.

"Extended Care Services

"(h) The term 'extended care services' means the following items and services furnished to an inpatient of an extended care facility and (except as provided in paragraphs (3) and (6)) by such extended care facility—

"(1) nursing care provided by or under the supervision of a registered professional nurse;

"(2) bed and board in connection with the furnishing of such nursing care;

"(3) physical, occupational, or speech therapy furnished by the extended care facility or by others under arrangements with them made by the facility;

"(4) medical social services;

"(5) such drugs, biologicals, supplies, appliances, and equipment, furnished for use in the extended care facility, as are ordinarily furnished by such facility for the care and treatment of inpatients;

"(6) medical services provided by an intern or resident-in-training of a hospital with which the facility has in effect a transfer agreement (meeting the requirements of subsection (l)), under a teaching program of such hospital approved as provided in the last sentence of subsection (b), and other diagnostic or therapeutic services provided by a hospital with which the facility has such an agreement in effect; and

"(7) such other services necessary to the health of the patients as are generally provided by extended care facilities;

excluding, however, any item or service if it would not be included under subsection (b) if furnished to an inpatient of a hospital.

"Post-Hospital Extended Care Services

"(i) The term 'post-hospital extended care services' means extended care services furnished an individual after transfer from a hospital in which he was an inpatient for not less than 3 consecutive days before his discharge from the hospital in connection with such transfer. For purposes of the preceding sentence, items and services shall be deemed to have been furnished to an individual after transfer from a hospital, and he shall be deemed to have been an inpatient in the hospital immediately before transfer therefrom, if he is admitted to the extended care facility within 14 days after discharge from such hospital; and an individual shall be deemed not to have been discharged from an extended care facility if, within 14 days after discharge therefrom, he is admitted to such facility or any other extended care facility.

"Extended Care Facility

"(j) The term 'extended care facility' means (except for purposes of subsection (a)(2)) an institution (or a distinct part of an institution) which has in effect a transfer agreement (meeting the requirements of subsection (l)) with one or more hospitals having agreements in effect under section 1866 and which— *Post*, p. 327.

"(1) is primarily engaged in providing to inpatients (A) skilled nursing care and related services for patients who require medical or nursing care, or (B) rehabilitation services for the rehabilitation of injured, disabled, or sick persons;

"(2) has policies, which are developed with the advice of (and with provision of review of such policies from time to time by) a group of professional personnel, including one or more physicians and one or more registered professional nurses, to govern the skilled nursing care and related medical or other services it provides;

"(3) has a physician, a registered professional nurse, or a medical staff responsible for the execution of such policies;

"(4)(A) has a requirement that the health care of every patient must be under the supervision of a physician, and (B) provides for having a physician available to furnish necessary medical care in case of emergency;

"(5) maintains clinical records on all patients;

"(6) provides 24-hour nursing service which is sufficient to meet nursing needs in accordance with the policies developed as provided in paragraph (2), and has at least one registered professional nurse employed full time;

"(7) provides appropriate methods and procedures for the dispensing and administering of drugs and biologicals;

"(8) has in effect a utilization review plan which meets the requirements of subsection (k);

"(9) in the case of an institution in any State in which State or applicable local law provides for the licensing of institutions of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State or locality responsible for licensing institutions of this nature, as meeting the standards established for such licensing; and

"(10) meets such other conditions relating to the health and safety of individuals who are furnished services in such institution or relating to the physical facilities thereof as the Secretary may find necessary (subject to the second sentence of section 1863);

except that such term shall not (other than for purposes of subsection (a)(2)) include any institution which is primarily for the care and treatment of mental diseases or tuberculosis. For purposes of subsection (a)(2), such term includes any institution which meets the requirements of paragraph (1) of this subsection. The term 'extended care facility' also includes an institution described in paragraph (1) of subsection (y), to the extent and subject to the limitations provided in such subsection.

"Utilization Review

"(k) A utilization review plan of a hospital or extended care facility shall be considered sufficient if it is applicable to services furnished by the institution to individuals entitled to insurance benefits under this title and if it provides—

"(1) for the review, on a sample or other basis, of admissions to the institution, the duration of stays therein, and the professional services (including drugs and biologicals) furnished, (A) with respect to the medical necessity of the services, and (B) for the purpose of promoting the most efficient use of available health facilities and services;

"(2) for such review to be made by either (A) a staff committee of the institution composed of two or more physicians, with or without participation of other professional personnel, or (B) a group outside the institution which is similarly composed and (i) which is established by the local medical society and some or all of the hospitals and extended care facilities in the locality, or (ii) if (and for as long as) there has not been established such a group which serves such institution, which is established in such other manner as may be approved by the Secretary;

"(3) for such review, in each case of inpatient hospital services or extended care services furnished to such an individual during a continuous period of extended duration, as of such days of such period (which may differ for different classes of cases) as may be specified in regulations, with such review to be made as promptly as possible, after each day so specified, and in no event later than one week following such day; and

"(4) for prompt notification to the institution, the individual, and his attending physician of any finding (made after opportunity for consultation to such attending physician) by the physician members of such committee or group that any further stay in the institution is not medically necessary.

The review committee must be composed as provided in clause (B) of paragraph (2) rather than as provided in clause (A) of such paragraph in the case of any hospital or extended care facility where, because of the small size of the institution, or (in the case of an

extended care facility) because of lack of an organized medical staff, or for such other reason or reasons as may be included in regulations, it is impracticable for the institution to have a properly functioning staff committee for the purposes of this subsection.

"Agreements for Transfer Between Extended Care Facilities and Hospitals

"(l) A hospital and an extended care facility shall be considered to have a transfer agreement in effect if, by reason of a written agreement between them or (in case the two institutions are under common control) by reason of a written undertaking by the person or body which controls them, there is reasonable assurance that—

"(1) transfer of patients will be effected between the hospital and the extended care facility whenever such transfer is medically appropriate as determined by the attending physician; and

"(2) there will be interchange of medical and other information necessary or useful in the care and treatment of individuals transferred between the institutions, or in determining whether such individuals can be adequately cared for otherwise than in either of such institutions.

Any extended care facility which does not have such an agreement in effect, but which is found by a State agency (of the State in which such facility is situated) with which an agreement under section 1864 is in effect (or, in the case of a State in which no such agency has an agreement under section 1864, by the Secretary) to have attempted in good faith to enter into such an agreement with a hospital sufficiently close to the facility to make feasible the transfer between them of patients and the information referred to in paragraph (2), shall be considered to have such an agreement in effect if and for so long as such agency (or the Secretary, as the case may be) finds that to do so is in the public interest and essential to assuring extended care services for persons in the community who are eligible for payments with respect to such services under this title.

Post, p. 326.

"Home Health Services

"(m) The term 'home health services' means the following items and services furnished to an individual, who is under the care of a physician, by a home health agency or by others under arrangements with them made by such agency, under a plan (for furnishing such items and services to such individual) established and periodically reviewed by a physician, which items and services are, except as provided in paragraph (7), provided on a visiting basis in a place of residence used as such individual's home—

"(1) part-time or intermittent nursing care provided by or under the supervision of a registered professional nurse;

"(2) physical, occupational, or speech therapy;

"(3) medical social services under the direction of a physician;

"(4) to the extent permitted in regulations, part-time or intermittent services of a home health aide;

"(5) medical supplies (other than drugs and biologicals), and the use of medical appliances, while under such a plan;

"(6) in the case of a home health agency which is affiliated or under common control with a hospital, medical services provided by an intern or resident-in-training of such hospital, under a teaching program of such hospital approved as provided in the last sentence of subsection (b); and

"(7) any of the foregoing items and services which are provided on an outpatient basis, under arrangements made by the home health agency, at a hospital or extended care facility, or at a rehabilitation center which meets such standards as may be prescribed in regulations, and—

"(A) the furnishing of which involves the use of equipment of such a nature that the items and services cannot readily be made available to the individual in such place of residence, or

"(B) which are furnished at such facility while he is there to receive any such item or service described in clause (A),

but not including transportation of the individual in connection with any such item or service;

excluding, however, any item or service if it would not be included under subsection (b) if furnished to an inpatient of a hospital.

"Post-Hospital Home Health Services

"(n) The term 'post-hospital home health services' means home health services furnished an individual within one year after his most recent discharge from a hospital of which he was an inpatient for not less than 3 consecutive days or (if later) within one year after his most recent discharge from an extended care facility of which he was an inpatient entitled to payment under part A for post-hospital extended care services, but only if the plan covering the home health services (as described in subsection (m)) is established within 14 days after his discharge from such hospital or extended care facility.

"Home Health Agency

"(o) The term 'home health agency' means a public agency or private organization, or a subdivision of such an agency or organization, which—

"(1) is primarily engaged in providing skilled nursing services and other therapeutic services;

"(2) has policies, established by a group of professional personnel (associated with the agency or organization), including one or more physicians and one or more registered professional nurses, to govern the services (referred to in paragraph (1)) which it provides, and provides for supervision of such services by a physician or registered professional nurse;

"(3) maintains clinical records on all patients;

"(4) in the case of an agency or organization in any State in which State or applicable local law provides for the licensing of agencies or organizations of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State or locality responsible for licensing agencies or organizations of this nature, as meeting the standards established for such licensing; and

"(5) meets such other conditions of participation as the Secretary may find necessary in the interest of the health and safety of individuals who are furnished services by such agency or organization;

except that such term shall not include a private organization which is not a nonprofit organization exempt from Federal income taxation under section 501 of the Internal Revenue Code of 1954 (or a subdivision of such organization) unless it is licensed pursuant to State law and it meets such additional standards and requirements as may be

68A Stat. 163.
26 USC 501.

prescribed in regulations; and except that for purposes of part A such term shall not include any agency or organization which is primarily for the care and treatment of mental diseases.

"Outpatient Hospital Diagnostic Services

"(p) The term 'outpatient hospital diagnostic services' means diagnostic services—

"(1) which are furnished to an individual as an outpatient by a hospital or by others under arrangements with them made by a hospital; and

"(2) which are ordinarily furnished by such hospital (or by others under such arrangements) to its outpatients for the purpose of diagnostic study;

excluding, however—

"(3) any item or service if it would not be included under subsection (b) if furnished to an inpatient of a hospital; and

"(4) any services furnished under such arrangements unless furnished in the hospital or in other facilities operated by or under the supervision of the hospital or its organized medical staff.

"Physicians' Services

"(q) The term 'physicians' services' means professional services performed by physicians, including surgery, consultation, and home, office, and institutional calls (but not including services described in the last sentence of subsection (b)).

"Physician

"(r) The term 'physician', when used in connection with the performance of any function or action, means (1) a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which he performs such function or action (including a physician within the meaning of section 1101(a)(7)), or (2) a doctor of dentistry or of dental or oral surgery who is legally authorized to practice dentistry by the State in which he performs such function but only with respect to (A) surgery related to the jaw or any structure contiguous to the jaw or (B) the reduction of any fracture of the jaw or any facial bone.

64 Stat. 559.
42 USC 1301.

"Medical and Other Health Services

"(s) The term 'medical and other health services' means any of the following items or services (unless they would otherwise constitute inpatient hospital services, extended care services, or home health services):

"(1) physicians' services;

"(2) services and supplies (including drugs and biologicals which cannot, as determined in accordance with regulations, be self-administered) furnished as an incident to a physician's professional service, of kinds which are commonly furnished in physicians' offices and are commonly either rendered without charge or included in the physicans' bills, and hospital services (including drugs and biologicals which cannot, as determined in accordance with regulations, be self-administered) incident to physicians' services rendered to outpatients;

"(3) diagnostic X-ray tests, diagnostic laboratory tests, and other diagnostic tests;

"(4) X-ray, radium, and radioactive isotope therapy, including materials and services of technicians;

"(5) surgical dressings, and splints, casts, and other devices used for reduction of fractures and dislocations;

"(6) rental of durable medical equipment, including iron lungs, oxygen tents, hospital beds, and wheelchairs used in the patient's home (including an institution used as his home);

"(7) ambulance service where the use of other methods of transportation is contraindicated by the individual's condition, but only to the extent provided in regulations;

"(8) prosthetic devices (other than dental) which replace all or part of an internal body organ, including replacement of such devices; and

"(9) leg, arm, back, and neck braces, and artificial legs, arms, and eyes, including replacements if required because of a change in the patient's physical condition.

No diagnostic tests performed in any laboratory which is independent of a physician's office or a hospital shall be included within paragraph (3) unless such laboratory—

"(10) if situated in any State in which State or applicable local law provides for licensing of establishments of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State or locality responsible for licensing establishments of this nature, as meeting the standards established for such licensing; and

"(11) meets such other conditions relating to the health and safety of individuals with respect to whom such tests are performed as the Secretary may find necessary.

"Drugs and Biologicals

"(t) The term 'drugs' and the term 'biologicals', except for purposes of subsection (m)(5) of this section, include only such drugs and biologicals, respectively, as are included (or approved for inclusion) in the United States Pharmacopoeia, the National Formulary, or the United States Homeopathic Pharmacopoeia, or in New Drugs or Accepted Dental Remedies (except for any drugs and biologicals unfavorably evaluated therein), or as are approved by the pharmacy and drug therapeutics committee (or equivalent committee) of the medical staff of the hospital furnishing such drugs and biologicals for use in such hospital.

"Provider of Services

"(u) The term 'provider of services' means a hospital, extended care facility, or home health agency.

"Reasonable Cost

"(v)(1) The reasonable cost of any services shall be determined in accordance with regulations establishing the method or methods to be used, and the items to be included, in determining such costs for various types or classes of institutions, agencies, and services; except that in any case to which paragraph (2) or (3) applies, the amount of the payment determined under such paragraph with respect to the services involved shall be considered the reasonable cost of such services. In prescribing the regulations referred to in the preceding

sentence, the Secretary shall consider, among other things, the principles generally applied by national organizations or established prepayment organizations (which have developed such principles) in computing the amount of payment, to be made by persons other than the recipients of services, to providers of services on account of services furnished to such recipients by such providers. Such regulations may provide for determination of the costs of services on a per diem, per unit, per capita, or other basis, may provide for using different methods in different circumstances, may provide for the use of estimates of costs of particular items or services, and may provide for the use of charges or a percentage of charges where this method reasonably reflects the costs. Such regulations shall (A) take into account both direct and indirect costs of providers of services in order that, under the methods of determining costs, the costs with respect to individuals covered by the insurance programs established by this title will not be borne by individuals not so covered, and the costs with respect to individuals not so covered will not be borne by such insurance programs, and (B) provide for the making of suitable retroactive corrective adjustments where, for a provider of services for any fiscal period, the aggregate reimbursement produced by the methods of determining costs proves to be either inadequate or excessive.

"(2)(A) If the bed and board furnished as part of inpatient hospital services (including inpatient tuberculosis hospital services and inpatient psychiatric hospital services) or post-hospital extended care services is in accommodations more expensive than semi-private accommodations, the amount taken into account for purposes of payment under this title with respect to such services may not exceed an amount equal to the reasonable cost of such services if furnished in such semi-private accommodations unless the more expensive accommodations were required for medical reasons.

"(B) Where a provider of services which has an agreement in effect under this title furnishes to an individual items or services which are in excess of or more expensive than the items or services with respect to which payment may be made under part A or part B, as the case may be, the Secretary shall take into account for purposes of payment to such provider of services only the equivalent of the reasonable cost of the items or services with respect to which such payment may be made.

Ante, pp. 291, 301.

"(3) If the bed and board furnished as part of inpatient hospital services (including inpatient tuberculosis hospital services and inpatient psychiatric hospital services) or post-hospital extended care services is in accommodations other than, but not more expensive than, semi-private accommodations and the use of such other accommodations rather than semi-private accommodations was neither at the request of the patient nor for a reason which the Secretary determines is consistent with the purposes of this title, the amount of the payment with respect to such bed and board under part A shall be the reasonable cost of such bed and board furnished in semi-private accommodations (determined pursuant to paragraph (1)) minus the difference between the charge customarily made by the hospital or extended care facility for bed and board in semi-private accommodations and the charge customarily made by it for bed and board in the accommodations furnished.

"(4) For purposes of this subsection, the term 'semi-private accommodations' means two-bed, three-bed, or four-bed accommodations.

"Semi-private accommodations."

"Arrangements for Certain Services

"(w) The term 'arrangements' is limited to arrangements under which receipt of payment by the hospital, extended care facility, or home health agency (whether in its own right or as agent), with respect to services for which an individual is entitled to have payment made under this title, discharges the liability of such individual or any other person to pay for the services.

"State and United States

"(x) The terms 'State' and 'United States' have the meaning given to them by subsections (h) and (i), respectively, of section 210.

74 Stat. 937.
42 USC 410.

"Post-Hospital Extended Care in Christian Science Extended Care Facilities

"(y)(1) The term 'extended care facility' also includes a Christian Science sanatorium operated, or listed and certified, by the First Church of Christ, Scientist, Boston, Massachusetts, but only (except for purposes of subsection (a)(2)) with respect to items and services ordinarily furnished by such an institution to inpatients, and payment may be made with respect to services provided by or in such an institution only to such extent and under such conditions, limitations, and requirements (in addition to or in lieu of the conditions, limitations, and requirements otherwise applicable) as may be provided in regulations.

"(2) Notwithstanding any other provision of this title, payment under part A may not be made for services furnished an individual in an extended care facility to which paragraph (1) applies unless such individual elects, in accordance with regulations, for a spell of illness to have such services treated as post-hospital extended care services for purposes of such part; and payment under part A may not be made for post-hospital extended care services—

"(A) furnished an individual during such spell of illness in an extended care facility to which paragraph (1) applies after—

"(i) such services have been furnished to him in such a facility for 30 days during such spell, or

"(ii) such services have been furnished to him during such spell in an extended care facility to which such paragraph does not apply; or

"(B) furnished an individual during such spell of illness in an extended care facility to which paragraph (1) does not apply after such services have been furnished to him during such spell in an extended care facility to which such paragraph applies.

"(3) The amount payable under part A for post-hospital extended care services furnished an individual during any spell of illness in an extended care facility to which paragraph (1) applies shall be reduced by a coinsurance amount equal to one-eighth of the inpatient hospital deductible for each day before the 31st day on which he is furnished such services in such a facility during such spell (and the reduction under this paragraph shall be in lieu of any reduction under section 1813(a)(4)).

Ante, p. 292.

"(4) For purposes of subsection (i), the determination of whether services furnished by or in an institution described in paragraph (1) constitute post-hospital extended care services shall be made in accordance with and subject to such conditions, limitations, and requirements as may be provided in regulations.

"EXCLUSIONS FROM COVERAGE

"SEC. 1862. (a) Notwithstanding any other provision of this title, no payment may be made under part A or part B for any expenses incurred for items or services— Ante, pp. 291, 301.

"(1) which are not reasonable and necessary for the diagnosis or treatment of illness or injury or to improve the functioning of a malformed body member;

"(2) for which the individual furnished such items or services has no legal obligation to pay, and which no other person (by reason of such individual's membership in a prepayment plan or otherwise) has a legal obligation to provide or pay for;

"(3) which are paid for directly or indirectly by a governmental entity (other than under this Act and other than under a health benefits or insurance plan established for employees of such an entity), except in such cases as the Secretary may specify;

"(4) which are not provided within the United States (except for emergency inpatient hospital services furnished outside the United States under the conditions described in section 1814 (f)); Ante, p. 294.

"(5) which are required as a result of war, or of an act of war, occurring after the effective date of such individual's current coverage under such part;

"(6) which constitute personal comfort items;

"(7) where such expenses are for routine physical checkups, eyeglasses or eye examinations for the purpose of prescribing, fitting, or changing eyeglasses, hearing aids or examinations therefor, or immunizations;

"(8) where such expenses are for orthopedic shoes or other supportive devices for the feet;

"(9) where such expenses are for custodial care;

"(10) where such expenses are for cosmetic surgery or are incurred in connection therewith, except as required for the prompt repair of accidental injury or for improvement of the functioning of a malformed body member;

"(11) where such expenses constitute charges imposed by immediate relatives of such individual or members of his household; or

"(12) where such expenses are for services in connection with the care, treatment, filling, removal, or replacement of teeth or structures directly supporting teeth.

"(b) Payment under this title may not be made with respect to any item or service to the extent that payment has been made, or can reasonably be expected to be made (as determined in accordance with regulations), with respect to such item or service, under a workmen's compensation law or plan of the United States or a State. Any payment under this title with respect to any item or service shall be conditioned on reimbursement to the appropriate Trust Fund established by this title when notice or other information is received that payment for such item or service has been made under such a law or plan.

"CONSULTATION WITH STATE AGENCIES AND OTHER ORGANIZATIONS TO DEVELOP CONDITIONS OF PARTICIPATION FOR PROVIDERS OF SERVICES

"SEC. 1863. In carrying out his functions, relating to determination of conditions of participation by providers of services, under subsections (e)(8), (f)(4), (g)(4), (j)(10), and (o)(5) of section 1861, the Secretary shall consult with the Health Insurance Benefits Advisory Council established by section 1867, appropriate State agencies,

and recognized national listing or accrediting bodies, and may consult with appropriate local agencies. Such conditions prescribed under any of such subsections may be varied for different areas or different classes of institutions or agencies and may, at the request of a State, provide higher requirements for such State than for other States; except that, in the case of any State or political subdivision of a State which imposes higher requirements on institutions as a condition to the purchase of services (or of certain specified services) in such institutions under a State plan approved under title I, XVI, or XIX, the Secretary shall impose like requirements as a condition to the payment for services (or for the services specified by the State or subdivision) in such institutions in such State or subdivision.

42 USC 301, 1381, *Post*, p. 343.

"USE OF STATE AGENCIES TO DETERMINE COMPLIANCE BY PROVIDERS OF SERVICES WITH CONDITIONS OF PARTICIPATION

"SEC. 1864. (a) The Secretary shall make an agreement with any State which is able and willing to do so under which the services of the State health agency or other appropriate State agency (or the appropriate local agencies) will be utilized by him for the purpose of determining whether an institution therein is a hospital or extended care facility, or whether an agency therein is a home health agency, or whether a laboratory meets the requirements of paragraphs (10) and (11) of section 1861(s). To the extent that the Secretary finds it appropriate, an institution or agency which such a State (or local) agency certifies is a hospital, extended care facility, or home health agency (as those terms are defined in section 1861) may be treated as such by the Secretary. The Secretary may also, pursuant to agreement, utilize the services of State health agencies and other appropriate State agencies (and the appropriate local agencies) to do any one or more of the following: (1) to provide consultative services to institutions or agencies to assist them (A) to establish and maintain fiscal records necessary for purposes of this title, or otherwise to qualify as hospitals, extended care facilities, or home health agencies, or (B) to provide information which may be necessary to permit determination under this title as to whether payments are due and the amounts thereof, and (2) to provide consultative services to institutions, agencies, or organizations to assist in the establishment of utilization review procedures meeting the requirements of section 1861(k) and in evaluating their effectiveness.

Ante, p. 321.

"(b) The Secretary shall pay any such State, in advance or by way of reimbursement, as may be provided in the agreement with it (and may make adjustments in such payments on account of overpayments or underpayments previously made), for the reasonable cost of performing the functions specified in subsection (a), and for the Federal Hospital Insurance Trust Fund's fair share of the costs attributable to the planning and other efforts directed toward coordination of activities in carrying out its agreement and other activities related to the provision of services similar to those for which payment may be made under part A, or related to the facilities and personnel required for the provision of such services, or related to improving the quality of such services.

Ante, p. 299.

"EFFECT OF ACCREDITATION

"SEC. 1865. Except as provided in the second sentence of section 1863, an institution shall be deemed to meet the requirements of the numbered paragraphs of section 1861(e) (except paragraph (6) thereof) if such institution is accredited as a hospital by the Joint Commission on Accreditation of Hospitals. If such Commission, as

a condition for accreditation of a hospital, requires a utilization review plan or imposes another requirement which serves substantially the same purpose, the Secretary is authorized to find that all institutions so accredited by the Commission comply also with section 1861(e)(6). In addition, if the Secretary finds that accreditation of an institution or agency by the American Osteopathic Association or any other national accreditation body provides reasonable assurance that any or all of the conditions of section 1861 (e), (j), or (o), as the case may be, are met, he may, to the extent he deems it appropriate, treat such institution or agency as meeting the condition or conditions with respect to which he made such finding.

"AGREEMENTS WITH PROVIDERS OF SERVICES

"SEC. 1866. (a)(1) Any provider of services shall be qualified to participate under this title and shall be eligible for payments under this title if it files with the Secretary an agreement—

"(A) not to charge, except as provided in paragraph (2), any individual or any other person for items or services for which such individual is entitled to have payment made under this title (or for which he would be so entitled if such provider of services had complied with the procedural and other requirements under or pursuant to this title or for which such provider is paid pursuant to the provisions of section 1814(e)), and

Ante, p. 296.

"(B) to make adequate provision for return (or other disposition, in accordance with regulations) of any moneys incorrectly collected from such individual or other person.

"(2)(A) A provider of services may charge such individual or other person (i) the amount of any deduction or coinsurance amount imposed pursuant to section 1813 (a)(1), (a)(2), or (a)(4), section 1833 (b), or section 1861(y)(3) with respect to such items and services (not in excess of the amount customarily charged for such items and services by such provider), and (ii) an amount equal to 20 per centum of the reasonable charges for such items and services (not in excess of 20 per centum of the amount customarily charged for such items and services by such provider) for which payment is made under part B or, in the case of outpatient hospital diagnostic services, for which payment is made under part A. In the case of items and services described in section 1833(c), clause (ii) of the preceding sentence shall be applied by substituting for 20 percent the proportion which is appropriate under such section.

"(B) Where a provider of services has furnished, at the request of such individual, items or services which are in excess of or more expensive than the items or services with respect to which payment may be made under this title, such provider of services may also charge such individual or other person for such more expensive items or services to the extent that the amount customarily charged by it for the items or services furnished at such request exceeds the amount customarily charged by it for the items or services with respect to which payment may be made under this title.

"(C) A provider of services may also charge any such individual for any whole blood furnished him with respect to which a deductible is imposed under section 1813(a)(3), except that (i) any excess of such charge over the cost to such provider for the blood shall be deducted from any payment to such provider under this title, (ii) no such charge may be imposed for the cost of administration of such

blood, and (iii) such charge may not be made to the extent such blood has been replaced on behalf of such individual or arrangements have been made for its replacement on his behalf.

Termination of agreements.

"(b) An agreement with the Secretary under this section may be terminated—

"(1) by the provider of services at such time and upon such notice to the Secretary and the public as may be provided in regulations, except that notice of more than 6 months shall not be required, or

"(2) by the Secretary at such time and upon such reasonable notice to the provider of services and the public as may be specified in regulations, but only after the Secretary has determined (A) that such provider of services is not complying substantially with the provisions of such agreement, or with the provisions of this title and regulations thereunder, or (B) that such provider of services no longer substantially meets the applicable provisions of section 1861, or (C) that such provider of services has failed to provide such information as the Secretary finds necessary to determine whether payments are or were due under this title and the amounts thereof, or has refused to permit such examination of its fiscal and other records by or on behalf of the Secretary as may be necessary to verify such information.

Any termination shall be applicable—

"(3) in the case of inpatient hospital services (including inpatient tuberculosis hospital services and inpatient psychiatric hospital services) or post-hospital extended care services, with respect to such services furnished to any individual who is admitted to the hospital or extended care facility furnishing such services on or after the effective date of such termination,

"(4) (A) with respect to home health services furnished to an individual under a plan therefor established on or after the effective date of such termination, or (B) if a plan is established before such effective date, with respect to such services furnished to such individual after the calendar year in which such termination is effective, and

"(5) with respect to any other items and services furnished on or after the effective date of such termination.

"(c) Where an agreement filed under this title by a provider of services has been terminated by the Secretary, such provider may not file another agreement under this title unless the Secretary finds that the reason for the termination has been removed and that there is reasonable assurance that it will not recur.

"(d) If the Secretary finds that there is a substantial failure to make timely review in accordance with section 1861(k) of long-stay cases in a hospital or extended care facility, he may, in lieu of terminating his agreement with such hospital or facility, decide that, with respect to any individual admitted to such hospital or facility after a subsequent date specified by him, no payment shall be made under this title for inpatient hospital services (including inpatient tuberculosis hospital services and inpatient psychiatric hospital services) after the 20th day of a continuous period of such services or for post-hospital extended care services after such day of a continuous period of such care as is prescribed in or pursuant to regulations, as the case may be. Such decision may be made effective only after such notice to the hospital, or (in the case of an extended care facility) to the facility and the hospital or hospitals with which it has a transfer agreement, and to the public, as may be prescribed by regulations, and its effectiveness

shall terminate when the Secretary finds that the reason therefor has been removed and that there is reasonable assurance that it will not recur. The Secretary shall not make any such decision except after reasonable notice and opportunity for hearing to the institution or agency affected thereby.

"HEALTH INSURANCE BENEFITS ADVISORY COUNCIL

"SEC. 1867. For the purpose of advising the Secretary on matters of general policy in the administration of this title and in the formulation of regulations under this title, there is hereby created a Health Insurance Benefits Advisory Council which shall consist of 16 persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall from time to time appoint one of the members to serve as Chairman. The members shall include persons who are outstanding in fields related to hospital, medical, and other health activities, and at least one person who is representative of the general public. Each member shall hold office for a term of 4 years, except that 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 except that the terms of office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, four at the end of the first year, four at the end of the second year, four at the end of the third year, and four at the end of the fourth year after the date of appointment. A member shall not be eligible to serve continuously for more than 2 terms. The Secretary may, at the request of the Council or otherwise, appoint such special advisory professional or technical committees as may be useful in carrying out this title. Members of the Advisory Council and members of any such advisory or technical committee, while attending meetings or conferences thereof or otherwise serving on business of the Advisory Council or of such committee, shall 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 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. The Advisory Council shall meet as frequently as the Secretary deems necessary. Upon request of 4 or more members, it shall be the duty of the Secretary to call a meeting of the Advisory Council.

60 Stat. 808; 75 Stat. 339, 340.

"NATIONAL MEDICAL REVIEW COMMITTEE

"SEC. 1868. (a) There is hereby created a National Medical Review Committee (hereinafter in this section referred to as the 'Committee') which shall consist of nine persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall from time to time appoint one of the members to serve as chairman. The members shall be selected from among individuals who are representative of organizations and associations of professional personnel in the field of medicine and other individuals who are outstanding in the field of medicine or in related fields; except that at least one member shall be representative of the general public, and at least a majority of the members shall be physicians. Each member shall hold office for a term of three years, except

that 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 except that the terms of office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, three at the end of the first year, three at the end of the second year, and three at the end of the third year after the date of appointment. A member shall not be eligible to serve continuously for more than two terms.

"(b) Members of the Committee, while attending meetings or conferences thereof or otherwise serving on business of the Committee, shall 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 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.

60 Stat. 808; 75 Stat. 339, 340.

"(c) It shall be the function of the Committee to study the utilization of hospital and other medical care and services for which payment may be made under this title with a view to recommending any changes which may seem desirable in the way in which such care and services are utilized or in the administration of the programs established by this title, or in the provisions of this title. The Committee shall make an annual report to the Secretary of the results of its study, including any recommendations it may have with respect thereto, and such report shall be transmitted promptly by the Secretary to the Congress.

Report to Congress.

"(d) The Committee is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Committee such secretarial, clerical, and other assistance and such pertinent data obtained and prepared by the Department of Health, Education, and Welfare as the Committee may require to carry out its functions.

"DETERMINATIONS; APPEALS

"SEC. 1869. (a) The determination of whether an individual is entitled to benefits under part A or part B, and the determination of the amount of benefits under part A, shall be made by the Secretary in accordance with regulations prescribed by him.

"(b) Any individual dissatisfied with any determination under subsection (a) as to entitlement under part A or part B, or as to amount of benefits under part A where the matter in controversy is $100 or more, shall be entitled to a hearing thereon by the Secretary to the same extent as is provided in section 205(b), and, in the case of a determination as to entitlement or as to amount of benefits where the amount in controversy is $1,000 or more, to judicial review of the Secretary's final decision after such hearing as is provided in section 205(g).

42 USC 405.

"(c) Any institution or agency dissatisfied with any determination by the Secretary that it is not a provider of services, or with any determination described in section 1866(b)(2), shall be entitled to a hearing thereon by the Secretary (after reasonable notice and opportunity for hearing) to the same extent as is provided in section 205(b), and to judicial review of the Secretary's final decision after such hearing as is provided in section 205(g).

"OVERPAYMENTS ON BEHALF OF INDIVIDUALS

"SEC. 1870. (a) Any payment under this title to any provider of services or other person with respect to any items or services furnished any individual shall be regarded as a payment to such individual.

"(b) Where—

"(1) more than the correct amount is paid under this title to a provider of services or other person for items or services furnished an individual and the Secretary determines that, within such period as he may specify, the excess over the correct amount cannot be recouped from such provider of services or other person, or

"(2) any payment has been made under section 1814(e) to a provider of services or other person for items or services furnished an individual,

Ante, p. 294.

proper adjustments shall be made, under regulations prescribed (after consultation with the Railroad Retirement Board) by the Secretary, by decreasing subsequent payments—

"(3) to which such individual is entitled under title II of this Act or under the Railroad Retirement Act of 1937, as the case may be, or

42 USC 401.
Post, pp. 335, 340, 400.

"(4) if such individual dies before such adjustment has been completed, to which any other individual is entitled under title II of this Act or under the Railroad Retirement Act of 1937, as the case may be, with respect to the wages and self-employment income or the compensation constituting the basis of the benefits of such deceased individual under title II of such Act.

As soon as practicable after any adjustment under paragraph (3) or (4) is determined to be necessary, the Secretary, for purposes of this section, section 1817(g), and section 1841(f), shall certify (to the Railroad Retirement Board if the adjustment is to be made by decreasing subsequent payments under the Railroad Retirement Act of 1937) the amount of the overpayment as to which the adjustment is to be made.

"(c) There shall be no adjustment as provided in subsection (b) (nor shall there be recovery) in any case where the incorrect payment has been made (including payments under section 1814(e)) with respect to an individual who is without fault and where such adjustment (or recovery) would defeat the purposes of title II or would be against equity and good conscience.

"(d) No certifying or disbursing officer shall be held liable for any amount certified or paid by him to any provider of services or other person where the adjustment or recovery of such amount is waived under subsection (c) or where adjustment under subsection (b) is not completed prior to the death of all persons against whose benefits such adjustment is authorized.

"REGULATIONS

"SEC. 1871. The Secretary shall prescribe such regulations as may be necessary to carry out the administration of the insurance programs under this title. When used in this title, the term 'regulations' means, unless the context otherwise requires, regulations prescribed by the Secretary.

42 USC 401-425.

"APPLICATION OF CERTAIN PROVISIONS OF TITLE II

"SEC. 1872. The provisions of sections 206, 208, and 216(j), and of subsections (a), (d), (e), (f), (h), (i), (j), (k), and (l) of section 205, shall also apply with respect to this title to the same extent as they are applicable with respect to title II.

"DESIGNATION OF ORGANIZATION OR PUBLICATION BY NAME

"SEC. 1873. Designation in this title, by name, of any nongovernmental organization or publication shall not be affected by change of name of such organization or publication, and shall apply to any successor organization or publication which the Secretary finds serves the purpose for which such designation is made.

"ADMINISTRATION

"SEC. 1874. (a) Except as otherwise provided in this title, the insurance programs established by this title shall be administered by the Secretary. The Secretary may perform any of his functions under this title directly, or by contract providing for payment in advance or by way of reimbursement, and in such installments, as the Secretary may deem necessary.

"(b) The Secretary may contract with any person, agency, or institution to secure on a reimbursable basis such special data, actuarial information, and other information as may be necessary in the carrying out of his functions under this title.

"STUDIES AND RECOMMENDATIONS

"SEC. 1875. (a) The Secretary shall carry on studies and develop recommendations to be submitted from time to time to the Congress relating to health care of the aged, including studies and recommendations concerning (1) the adequacy of existing personnel and facilities for health care for purposes of the programs under parts A and B; (2) methods for encouraging the further development of efficient and economical forms of health care which are a constructive alternative to inpatient hospital care; and (3) the effects of the deductibles and coinsurance provisions upon beneficiaries, persons who provide health services, and the financing of the program.

Ante, pp. 291, 301.

Reports to Congress.

"(b) The Secretary shall make a continuing study of the operation and administration of the insurance programs under parts A and B, and shall transmit to the Congress annually a report concerning the operation of such programs."

(b) If—

(1) an individual was eligible to enroll under section 1837(c) of the Social Security Act before April 1, 1966, but failed to enroll before such date, and

(2) it is shown to the satisfaction of the Secretary of Health, Education, and Welfare that there was good cause for such failure to enroll before April 1, 1966,

such individual may enroll pursuant to this subsection at any time before October 1, 1966. The determination of what constitutes good cause for purposes of the preceding sentence shall be made in accordance with regulations of the Secretary. In the case of any individual who enrolls pursuant to this subsection, the coverage period (within the meaning of section 1838 of the Social Security Act) shall begin on the first day of the 6th month after the month in which he so enrolls.

TRANSITIONAL PROVISION ON ELIGIBILITY OF PRESENTLY UNINSURED INDIVIDUALS FOR HOSPITAL INSURANCE BENEFITS

SEC. 103. (a) Anyone who—

(1) has attained the age of 65,

(2) (A) attained such age before 1968, or (B) has not less than 3 quarters of coverage (as defined in title II of the Social Security Act or section 5(1) of the Railroad Retirement Act of 1937), whenever acquired, for each calendar year elapsing after 1965 and before the year in which he attained such age,

42 USC 401.
60 Stat. 733.
45 USC 228e.

(3) is not, and upon filing application for monthly insurance benefits under section 202 of the Social Security Act would not be, entitled to hospital insurance benefits under section 226 of such Act, and is not certifiable as a qualified railroad retirement beneficiary under section 21 of the Railroad Retirement Act of 1937 (as added by section 105(a) of this Act),

42 USC 402.
Ante, p. 290.

(4) is a resident of the United States (as defined in section 210(i) of the Social Security Act), 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 so defined) continuously during the 5 years immediately preceding the month in which he files application under this section, and

74 Stat. 937.
42 USC 410.

(5) has filed an application under this section in such manner and in accordance with such other requirements as may be prescribed in regulations of the Secretary,

shall (subject to the limitations in this section) be deemed, solely for purposes of section 226 of the Social Security Act, to be entitled to monthly insurance benefits under such section 202 for each month, beginning with the first month in which he meets the requirements of this subsection and ending with the month in which he dies, or, if earlier, the month before the month in which he becomes (or upon filing application for monthly insurance benefits under section 202 of such Act would become) entitled to hospital insurance benefits under section 226 or becomes certifiable as a qualified railroad retirement beneficiary. An individual who would have met the preceding requirements of this subsection in any month had he filed application under paragraph (5) hereof before the end of such month shall be deemed to have met such requirements in such month if he files such application before the end of the twelfth month following such month. 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), (3), and (4) shall be accepted as an application for purposes of this section.

(b) The provisions of subsection (a) shall not apply to any individual who—

(1) is, at the beginning of the first month in which he meets the requirements of subsection (a), a member of any organization referred to in section 210(a)(17) of the Social Security Act,

70 Stat. 839.
42 USC 410.

(2) has, prior to the beginning of such first month, been convicted of any offense listed in section 202(u) of the Social Security Act, or

Post, p. 334.

(3) (A) at the beginning of such first month is covered by an enrollment in a health benefits plan under the Federal Employees Health Benefits Act of 1959,

73 Stat. 708.
5 USC 3001 note.

(B) was so covered on February 16, 1965, or

(C) could have been so covered for such first month if he or some other person had availed himself of opportunities to enroll in a health benefits plan under such Act and to continue such enrollment (but this subparagraph shall not apply unless he or such other person was a Federal employee at any time after February 15, 1965).

Paragraph (3) shall not apply in the case of any individual for the month (or any month thereafter) in which coverage under such a health benefits plan ceases (or would have ceased if he had had such coverage) by reason of his or some other person's separation from Federal service, if he or such other person was not (or would not have been) eligible to continue such coverage after such separation.

(c) There are authorized to be appropriated to the Federal Hospital Insurance Trust Fund (established by section 1817 of the Social Security Act) from time to time such sums as the Secretary deems necessary for any fiscal year, on account of—

(1) payments made or to be made during such fiscal year from such Trust Fund under part A of title XVIII of such Act with respect to individuals who are entitled to hospital insurance benefits under section 226 of such Act solely by reason of this section,

Ante, p. 291.

Ante, p. 290.

(2) the additional administrative expenses resulting or expected to result therefrom, and

(3) any loss in interest to such Trust Fund resulting from the payment of such amounts,

in order to place such Trust Fund in the same position at the end of such fiscal year in which it would have been if the preceding subsections of this section had not been enacted.

SUSPENSION IN CASE OF ALIENS; PERSONS CONVICTED OF SUBVERSIVE ACTIVITIES

70 Stat. 835.
42 USC 402.

SEC. 104. (a)(1) Section 202(t) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(9) No payments shall be made under part A of title XVIII with respect to items or services furnished to an individual in any month for which the prohibition in paragraph (1) against payment of benefits to him is applicable (or would be if he were entitled to any such benefits)."

(2) Section 202(u) of such Act is amended by striking out "and" before the phrase "in determining the amount of any such benefit payable to such individual for any such month," and inserting after such phrase "and in determining whether such individual is entitled to insurance benefits under part A of title XVIII for any such month,".

(b)(1) No payments shall be made under part B of title XVIII of the Social Security Act with respect to expenses incurred by an individual during any month for which such individual may not be paid monthly benefits under title II of such Act (or for which such monthly benefits would be suspended if he were otherwise entitled thereto) by reason of section 202(t) of such Act (relating to suspension of benefits of aliens who are outside the United States).

Ante, p. 301.

(2) An individual who has been convicted of any offense under (A) chapter 37 (relating to espionage and censorship), chapter 105 (relating to sabotage), or chapter 115 (relating to treason, sedition,

and subversive activities) of title 18 of the United States Code, or (B) section 4, 112, or 113 of the Internal Security Act of 1950, as amended, may not enroll under part B of title XVIII of the Social Security Act.

18 USC 792, 2151, 2381.
64 Stat. 991, 1029.
50 USC 783, 822, 823.

RAILROAD RETIREMENT AMENDMENTS

SEC. 105. (a)(1) The Railroad Retirement Act of 1937 is amended by adding after section 20 the following new section:

50 Stat. 307.
45 USC 228a-228s-1.

"HOSPITAL INSURANCE BENEFITS FOR THE AGED

"SEC. 21. For the purposes of part A of title XVIII of the Social Security Act, in order to provide hospital insurance benefits for annuitants, pensioners, and certain other aged individuals, the Board shall, upon request of the Secretary of Health, Education, and Welfare, certify to the Secretary the name of any individual who has attained age 65 and who (1) is entitled to an annuity or pension under this Act, (2) would be entitled to such an annuity had he (i) ceased compensated service and (in the case of a spouse) had such spouse's husband or wife ceased compensated service and (ii) applied for such annuity, or (3) bears a relationship to an employee which, by reason of section 3(e) of this Act, has been, or would be, taken into account in calculating the amount of an annuity of such employee or his survivors. Such a certification shall include such additional information as may be necessary to carry out the provisions of part A of title XVIII of the Social Security Act, and shall become effective on the date of certification or on such earlier date not more than one year prior to the date of certification as the Board states that such individual first met the requirements for certification. The Board shall notify the Secretary of the date on which such individual no longer meets the requirements of this section."

Ante, p. 291.

(2) For purposes of section 21 of the Railroad Retirement Act of 1937 (and sections 1840, 1843, and 1870 of the Social Security Act), entitlement to an annuity or pension under the Railroad Retirement Act of 1937 shall be deemed to include entitlement under the Railroad Retirement Act of 1935.

45 USC 215-228.

(b)(1) 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 "the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956" and inserting in lieu thereof "the rate of the tax imposed with respect to wages by section 3101(a) at such time exceeds 2¾ percent (the rate provided by paragraph (2) of section 3101 as amended by the Social Security Amendments of 1956)".

73 Stat. 28.
26 USC 3201.
Post, p. 395.
70 Stat. 845.

(2) Section 3211 of such Code (relating to the rate of tax on employee representatives under the Railroad Retirement Tax Act) is amended by striking out "the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956" and inserting in lieu thereof "the rate of the tax imposed with respect to wages by section 3101(a) at such time exceeds 2¾ percent (the rate provided by paragraph (2) of section 3101 as amended by the Social Security Amendments of 1956)".

73 Stat. 29.
26 USC 3211.

(3) Section 3221(b) of such Code (relating to the rate of tax on employers under the Railroad Retirement Tax Act) is amended by striking out "the rate of the tax imposed with respect to wages by section 3111 at such time exceeds the rate provided by paragraph (2)

26 USC 3221.

of such section 3111 as amended by the Social Security Amendments of 1956" and inserting in lieu thereof "the rate of the tax imposed with respect to wages by section 3111(a) at such time exceeds 2¾ percent (the rate provided by paragraph (2) of section 3111 as amended by the Social Security Amendments of 1956)".

Post, p. 396.

70 Stat. 845.

(4) The amendments made by this subsection shall be effective with respect to compensation paid for services rendered after December 31, 1965.

(c) For amendments preserving relationship between the railroad retirement and old-age, survivors, and disability insurance systems, see section 326 of this Act.

Post, p. 400.

MEDICAL EXPENSE DEDUCTION

SEC. 106. (a) Subsection (a) of section 213 of the Internal Revenue Code of 1954 (relating to allowance of deduction) is amended to read as follows:

74 Stat. 133.
26 USC 213.

"(a) ALLOWANCE OF DEDUCTION.—There shall be allowed as a deduction the following amounts, not compensated for by insurance or otherwise—

"(1) the amount by which the amount of the expenses paid during the taxable year (reduced by any amount deductible under paragraph (2)) for medical care of the taxpayer, his spouse, and dependents (as defined in section 152) exceeds 3 percent of the adjusted gross income, and

68A Stat. 43.
26 USC 152.

"(2) an amount (not in excess of $150) equal to one-half of the expenses paid during the taxable year for insurance which constitutes medical care for the taxpayer, his spouse, and dependents."

Repeal.

(b) The second sentence of section 213(b) of such Code (relating to limitation with respect to medicine and drugs) is repealed.

(c) Section 213(e) of such Code (relating to definitions) is amended by renumbering paragraph (2) as paragraph (4), and by striking out paragraph (1) and inserting in lieu thereof the following:

"Medical care."

"(1) The term 'medical care' means amounts paid—

"(A) for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body,

"(B) for transportation primarily for and essential to medical care referred to in subparagraph (A), or

"(C) for insurance (including amounts paid as premiums under part B of title XVIII of the Social Security Act, relating to supplementary medical insurance for the aged) covering medical care referred to in subparagraphs (A) and (B).

Ante, p. 301.

"(2) In the case of an insurance contract under which amounts are payable for other than medical care referred to in subparagraphs (A) and (B) of paragraph (1)—

"(A) no amount shall be treated as paid for insurance to which paragraph (1)(C) applies unless the charge for such insurance is either separately stated in the contract, or furnished to the policyholder by the insurance company in a separate statement,

"(B) the amount taken into account as the amount paid for such insurance shall not exceed such charge, and

"(C) no amount shall be treated as paid for such insurance if the amount specified in the contract (or furnished to the

policyholder by the insurance company in a separate statement) as the charge for such insurance is unreasonably large in relation to the total charges under the contract.

"(3) Subject to the limitations of paragraph (2), premiums paid during the taxable year by a taxpayer before he attains the age of 65 for insurance covering medical care (within the meaning of subparagraphs (A) and (B) of paragraph (1)) for the taxpayer, his spouse, or a dependent after the taxpayer attains the age of 65 shall be treated as expenses paid during the taxable year for insurance which constitutes medical care if premiums for such insurance are payable (on a level payment basis) under the contract for a period of 10 years or more or until the year in which the taxpayer attains the age of 65 (but in no case for a period of less than 5 years)."

(d)(1) Section 213 of such Code (relating to medical, dental, etc., expenses) is amended by striking out subsections (c) and (g) of such section. 72 Stat. 1613. 26 USC 213.

(2)(A) Section 72(m)(5)(A)(i) of such Code (relating to special rules applicable to employment annuities and distributions under employee plans) is amended by striking out "section 213(g)(3)" and inserting in lieu thereof "paragraph (7) of this subsection". 76 Stat. 821. 26 USC 72.

(B) Section 72(m) of such Code is further amended by adding at the end thereof the following new paragraph:

"(7) MEANING OF DISABLED.—For purposes of this section, an individual shall be considered to be disabled if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration. An individual shall not be considered to be disabled unless he furnishes proof of the existence thereof in such form and manner as the Secretary or his delegate may require."

(C) Subparagraphs (A)(iii) and (B)(iii) of section 72(n)(1) of such Code (relating to treatment of certain distributions with respect to contributions by self-employed individuals) are each amended by striking out "section 213(g)(3)" and inserting in lieu thereof "subsection (m)(7)".

(3) Section 79(b)(1) of such Code (relating to group-term life insurance purchased for employees) is amended by striking out "paragraph (3) of section 213(g), determined without regard to paragraph (4) thereof" and inserting in lieu thereof "section 72(m)(7)". 78 Stat. 36. 26 USC 79.

(4) Section 401(d)(4)(B) of such Code (relating to additional requirements for qualification of trusts and plans benefiting owner-employees) is amended by striking out "section 213(g)(3)" and inserting in lieu thereof "section 72(m)(7)". 76 Stat. 809. 26 USC 401.

(5) Section 405(b)(1)(D)(ii) of such Code (relating to qualified bond purchase plans) is amended by striking out "section 213(g)(3)" and inserting in lieu thereof "section 72(m)(7)". 26 USC 405.

(e) The amendments made by this section shall apply to taxable years beginning after December 31, 1966.

RECEIPTS FOR EMPLOYEES MUST SHOW TAXES SEPARATELY

SEC. 107. Section 6051(c) of the Internal Revenue Code of 1954 (relating to additional requirements) is amended by adding at the end thereof the following new sentence: "The statements required under this section shall also show the proportion of the total amount 68A Stat. 747. 26 USC 6051.

Post, p. 395.
Ante, p. 291.

withheld as tax under section 3101 which is for financing the cost of hospital insurance benefits under part A of title XVIII of the Social Security Act."

TECHNICAL AND ADMINISTRATIVE AMENDMENTS RELATING TO TRUST FUNDS

70 Stat. 819.
42 USC 401.

SEC. 108. (a)(1) Section 201(a)(3) of the Social Security Act is amended by inserting "(other than sections 3101(b) and 3111(b))" after "chapter 21" each place it appears therein.

(2) Section 201(a)(4) of such Act is amended by inserting "(other than section 1401(b))" after "chapter 2" and after "such subchapter or chapter".

(3) Section 201(g)(1) of such Act is amended to read as follows:

"(1)(A) There are authorized to be made available for expenditure, out of any or all of the Trust Funds (which for purposes of this paragraph shall include also the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund established by title XVIII), such amounts as the Congress may deem appropriate to pay the costs of the part of the administration of this title and title XVIII for which the Secretary of Health, Education, and Welfare is responsible. During each fiscal year or after the close of such fiscal year (or at both times), the Secretary of Health, Education, and Welfare shall analyze the costs of administration of this title and title XVIII during the appropriate part or all of such fiscal year in order to determine the portion of such costs which should be borne by each of the Trust Funds and shall certify to the Managing Trustee the amount, if any, which should be transferred among such Trust Funds in order to assure that each of the Trust Funds bears its proper share of the costs incurred during such fiscal year for the part of the administration of this title and title XVIII for which the Secretary of Health, Education, and Welfare is responsible. The Managing Trustee is authorized and directed to transfer any such amount (determined under the preceding sentence) among such Trust Funds in accordance with any certification so made.

Ante, pp. 299, 308.

"(B) The Managing Trustee is directed to pay from the Trust Funds into the Treasury the amounts estimated by him which will be expended, out of moneys appropriated from the general funds in the Treasury, during each calendar quarter by the Treasury Department for the part of the administration of this title and title XVIII for which the Treasury Department is responsible and for the administration of chapters 2 and 21 of the Internal Revenue Code of 1954. Such payments shall be covered into the Treasury as repayment to the account for reimbursement of expenses incurred in connection with such administration of this title and title XVIII and chapters 2 and 21 of the Internal Revenue Code of 1954."

68A Stat. 353, 415.
26 USC 1401-1403, 3101-3126.

(4) Section 201(g)(2) of such Act is amended by inserting after "the amount estimated by him as taxes" the following: "imposed under section 3101(a)".

(5) Section 201(h) of such Act is amended by inserting "(other than section 226)" after "this title".

70 Stat. 823.
42 USC 418.

(b) Section 218(h)(1) of such Act is amended by striking out "Trust Funds in the ratio in which amounts are appropriated to such Funds pursuant to subsections (a)(3) and (b)(1) of section 201" and inserting in lieu thereof "Trust Funds and the Federal Hospital Insurance Trust Fund in the ratio in which amounts are appropriated to such Funds pursuant to subsection (a)(3) of section 201, subsection (b)(1) of such section, and subsection (a)(1) of section 1817, respectively".

Ante, p. 299.

(c) Section 1106(b) of such Act is amended by striking out "and the Federal Disability Insurance Trust Fund" and inserting in lieu thereof ", the Federal Disability Insurance Trust Fund, the Federal Hospital Insurance Trust Fund, and the Federal Supplementary Medical Insurance Trust Fund". 72 Stat. 1055. 42 USC 1306.

ADVISORY COUNCIL ON SOCIAL SECURITY

SEC. 109. (a) Title VII of the Social Security Act is amended by adding at the end thereof the following new section: 49 Stat. 635. 42 USC 901-906.

"ADVISORY COUNCIL ON SOCIAL SECURITY

"SEC. 706. (a) During 1968 and every fifth year thereafter, the Secretary shall appoint an Advisory Council on Social Security for the purpose of reviewing the status of the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, the Federal Hospital Insurance Trust Fund, and the Federal Supplementary Medical Insurance Trust Fund in relation to the long-term commitments of the old-age, survivors, and disability insurance program and the programs under parts A and B of title XVIII, and of reviewing the scope of coverage and the adequacy of benefits under, and all other aspects of, these programs, including their impact on the public assistance programs under this Act. 42 USC 401. *Ante*, pp. 299, 308. *Ante*, pp. 291, 301.

"(b) Each such Council shall consist of the Commissioner of Social Security, as Chairman, and 12 other persons, appointed by the Secretary without regard to the civil service laws. The appointed members shall, to the extent possible, represent organizations of employers and employees in equal numbers, and represent self-employed persons and the public.

"(c)(1) Any Council appointed hereunder is authorized to engage such technical assistance, including actuarial services, as may be required to carry out its functions, and the Secretary shall, in addition, make available to such Council such secretarial, clerical, and other assistance and such actuarial and other pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

"(2) Appointed members of any such Council, while serving on business of the Council (inclusive of travel time), shall receive compensation at rates fixed by the Secretary, but not exceeding $100 per day 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 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government employed intermittently. 60 Stat. 808; 75 Stat. 339, 340.

"(d) Each such Council shall submit reports of its findings and recommendations to the Secretary not later than January 1 of the second year after the year in which it is appointed, and such reports and recommendations shall thereupon be transmitted to the Congress and to the Board of Trustees of each of the Trust Funds. The reports required by this subsection shall include— Reports to Congress.

"(1) a separate report with respect to the old-age, survivors, and disability insurance program under title II and of the taxes imposed under sections 1401(a), 3101(a), and 3111(a) of the Internal Revenue Code of 1954, 42 USC 401. *Post*, pp. 394-396.

"(2) a separate report with respect to the hospital insurance program under part A of title XVIII and of the taxes imposed by sections 1401(b), 3101(b), and 3111(b) of the Internal Revenue Code of 1954, and

Ante, p. 301.

"(3) a separate report with respect to the supplementary medical insurance program established by part B of title XVIII and of the financing thereof.

After the date of the transmittal to the Congress of the reports required by this subsection, the Council shall cease to exist."

Repeal.

74 Stat. 994.
42 USC 401a.

(b) Effective January 1, 1966, section 116(e) of the Social Security Amendments of 1956 is repealed.

MEANING OF TERM "SECRETARY"

SEC. 110. As used in this Act, and in the provisions of the Social Security Act amended by this Act, the term "Secretary", unless the context otherwise requires, means the Secretary of Health, Education, and Welfare.

ROLE OF THE RAILROAD RETIREMENT BOARD IN THE ADMINISTRATION OF HOSPITAL INSURANCE FOR THE AGED

Ante, p. 332.

Ante, p. 335; Post, p. 400.

SEC. 111. (a) The first sentence of section 1874(a) of the Social Security Act is amended to read as follows: "Except as otherwise provided in this title and in the Railroad Retirement Act of 1937, the insurance programs established by this title shall be administered by the Secretary."

(b) (1) Section 21 of the Railroad Retirement Act of 1937 (as added by section 105 of this Act) is amended to read as follows:

"HOSPITAL INSURANCE BENEFITS FOR THE AGED

"SEC. 21. (a) For the purposes of this section, the Board shall have the same authority to determine the rights of individuals described in subsection (b) of this section to have payments made on their behalf for hospital insurance benefits consisting of inpatient hospital services, post-hospital extended care services, post-hospital home health services, and outpatient hospital diagnostic services (all hereinafter referred to as 'services') under section 226, and parts A and C of title XVIII, of the Social Security Act as the Secretary of Health, Education, and Welfare has under such section and such parts with respect to individuals to whom such section and such parts apply. For purposes of section 11, a determination with respect to the rights of an individual under this section shall, except in the case of a provider of services, be considered to be a decision with respect to an annuity.

Ante, pp. 290, 291, 313.

45 USC 228k.

"(b) Except as otherwise provided in this section, every individual who—

"(1) has attained age 65, and

"(2) (A) is entitled to an annuity under this Act, or (B) would be entitled to such an annuity had he ceased compensated service and, in the case of a spouse, had such spouse's husband or wife ceased compensated service, or (C) had been awarded a pension under section 6, or (D) bears a relationship to an employee which, by reason of section 3(e), has been, or would be, taken into account in calculating the amount of an annuity of such employee or his survivors,

45 USC 228f.

45 USC 228c.

shall be certified to the Secretary of Health, Education, and Welfare as a qualified railroad retirement beneficiary under section 226 of the Social Security Act.

"(c) The Board and the Secretary of Health, Education, and Welfare shall furnish each other with such information, records, and doc-

uments as may be considered necessary to the administration of this section or section 226, and part A of title XVIII, of the Social Security Act.

Ante, pp. 290, 291.

"(d) For purposes of this section (and sections 1840, 1843, and 1870 of the Social Security Act), entitlement to an annuity or pension under this Act shall be deemed to include entitlement under the Railroad Retirement Act of 1935.

Ante, pp. 306, 312, 331.

45 USC 215-228.

"(e) The rights of individuals described in subsection (b) of this section to have payment made on their behalf for the services referred to in subsection (a) of this section but provided in Canada shall be the same as those of individuals to whom section 226 and part A of title XVIII of the Social Security Act apply, and this subsection shall be administered by the Board as if the provisions of section 226 and part A of title XVIII of the Social Security Act were applicable, as if references to the Secretary of Health, Education, and Welfare were to the Board, as if references to the Federal Hospital Insurance Trust Fund were to the Railroad Retirement Account, as if references to the United States or a State included Canada or a subdivision thereof, and as if the provisions of sections 1862(a)(4), 1863, 1864, 1867, 1868, 1869, 1874(b), and 1875 of such title XVIII were not included in such title. The payments for services herein provided for in Canada shall be made from the Railroad Retirement Account (in accordance with, and subject to, the conditions applicable under section 10(b) in making payment of other benefits) to the hospital, extended care facility, or home health agency providing such services in Canada to individuals to whom subsection (b) of this section applies, but only to the extent that the amount of payments for services otherwise hereunder provided for an individual exceeds the amount payable for like services provided pursuant to the law in effect in the place in Canada where such services are furnished. For the purposes of section 9 of this Act, any overpayment under this subsection shall be treated as if it were an overpayment of an annuity."

45 USC 228i.

(2) Section 5(k)(2) of such Act is amended—

45 USC 228e.

(A) by striking out subparagraphs (A) and (B) and redesignating subparagraphs (C), (D), and (E) as subparagraphs (A), (B), and (C), respectively;

(B) by striking out the second sentence and the last sentence of subdivision (i) of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph; and by striking out from such subdivision (i) "the Retirement Account" and inserting in lieu thereof "the Railroad Retirement Account (hereinafter termed 'Retirement Account')";

(C) by adding at the end of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph the following new subdivision:

"(iii) At the close of the fiscal year ending June 30, 1966, and each fiscal year thereafter, the Board and the Secretary of Health, Education, and Welfare shall determine the amount, if any, which, if added to or subtracted from the Federal Hospital Insurance Trust Fund, would place such fund in the same position in which it would have been if service as an employee after December 31, 1936, had been included in the term 'employment' as defined in the Social Security Act and in the Federal Insurance Contributions Act. Such determination shall be made no later than June 15 following the close of the fiscal year. If such amount is to be added to the Federal Hospital Insurance Trust Fund, the Board shall, within ten days after the determination,

Post, pp. 395, 396.

certify such amount to the Secretary of the Treasury for transfer from the Retirement Account to the Federal Hospital Insurance Trust Fund; and if such amount is to be subtracted from the Federal Hospital Insurance Trust Fund the Secretary of Health, Education, and Welfare shall, within ten days after the determination, certify such amount to the Secretary of the Treasury for transfer from the Federal Hospital Insurance Trust Fund to the Retirement Account. The amount so certified shall further include interest (at the rate determined under subparagraph (B) for the fiscal year under consideration) payable from the close of such fiscal year until the date of certification.";

(D) by striking out "subparagraph (D)" where it appears in the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph, and inserting in lieu thereof "subparagraph (B)";

(E) by striking out "subparagraphs (B) and (C)" where it appears in the subparagraph redesignated as subparagraph (B) by subparagraph (A) of this paragraph and inserting in lieu thereof "subparagraph (A)"; and

(F) by amending the subparagraph redesignated as subparagraph (C) by subparagraph (A) of this paragraph to read as follows:

"(C) The Secretary of the Treasury is authorized and directed to transfer to the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund from the Retirement Account or to the Retirement Account from the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund, as the case may be, such amounts as, from time to time, may be determined by the Board and the Secretary of Health, Education, and Welfare pursuant to the provisions of subparagraph (A), and certified by the Board or the Secretary of Health, Education, and Welfare for transfer from the Retirement Account or from the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund."

Ante, p. 335. (c) (1) 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 "section 3101(a)" and inserting in lieu thereof "section 3101(a) plus the rate imposed by section 3101(b)".

Ante, p. 335. (2) Section 3211 of such Code (relating to the rate of tax on employee representatives under the Railroad Retirement Tax Act) is amended by striking out "section 3101(a)" and inserting in lieu thereof "section 3101(a) plus the rate imposed by section 3101(b)".

Ante, p. 335. (3) Section 3221(b) of such Code (relating to the rate of tax on employers under the Railroad Retirement Tax Act) is amended by striking out "section 3111(a)" and inserting in lieu thereof "section 3111 (a) plus the rate imposed by section 3111(b)".

Post, p. 394. (4) Section 1401(b) (as amended by section 321 of this Act) of such Code (relating to the rate of tax under the Self-Employment Contributions Act) is amended by striking out the last sentence.

Post, p. 395. (5) Section 3101(b) of such Code (relating to the rate of tax on employees under the Federal Insurance Contributions Act) is amended by striking out ", but without regard to the provisions of paragraph (9) thereof insofar as it relates to employees".

(6) Section 3111(b) of such Code (relating to the rate of tax on employers under the Federal Insurance Contributions Act) is amended by striking out ", but without regard to the provisions of paragraph (9) thereof insofar as it relates to employees". Post, p. 396.

(d) There are authorized to be appropriated to the Federal Hospital Insurance Trust Fund (established by section 1817 of the Social Security Act) from time to time such sums as the Secretary deems necessary for any fiscal year, on account of— Ante, p. 299.

(1) payments made or to be made during such fiscal year from such Trust Fund under part A of title XVIII of such Act with respect to individuals who are qualified railroad retirement beneficiaries (as defined in section 226(c) of such Act) and who are not, and upon filing application for monthly insurance benefits under section 202 of such Act would not be, entitled to such benefits if service as an employee (as defined in the Railroad Retirement Act of 1937) after December 31, 1936, had been included in the term "employment" as defined in the Social Security Act, Ante, p. 291. Ante, p. 290. 42 USC 402. Ante, pp. 335, 340; Post, p. 400.

(2) the additional administrative expenses resulting or expected to result therefrom, and

(3) any loss of interest to such Trust Fund resulting from the payment of such amounts,

in order to place such Trust Fund in the same position at the end of such fiscal year in which it would have been if the individuals described in paragraph (1) had not been entitled to benefits under part A of title XVIII of the Social Security Act.

(e)(1) The amendments made by the preceding provisions of this section shall apply to the calendar year 1966 or to any subsequent calendar year, but only if the requirement in paragraph (2) has been met with respect to such calendar year.

(2) The requirement referred to in paragraph (1) shall be deemed to have been met with respect to any calendar year if, as of the October 1 immediately preceding such calendar year, the Railroad Retirement Tax Act provides that the maximum amount of monthly compensation taxable under such Act during all months of such calendar year will be an amount equal to one-twelfth of the maximum wages which the Federal Insurance Contributions Act provides may be counted for such calendar year. 26 USC 3201. Post, pp. 395, 396.

PART 2—GRANTS TO STATES FOR MEDICAL ASSISTANCE PROGRAMS

ESTABLISHMENT OF PROGRAMS

SEC. 121. (a) The Social Security Act is amended by adding at the end thereof (after the new title XVIII added by section 102) the following new title: Ante, p. 291.

"TITLE XIX—GRANTS TO STATES FOR MEDICAL ASSISTANCE PROGRAMS

"APPROPRIATION

"SEC. 1901. For the purpose of enabling each State, as far as practicable under the conditions in such State, to furnish (1) medical assistance on behalf of families with dependent children and of aged, blind, or permanently and totally disabled individuals, whose income and resources are insufficient to meet the costs of necessary medical services, and (2) rehabilitation and other services to help such families and individuals attain or retain capability for independence or

self-care, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Secretary of Health, Education, and Welfare, State plans for medical assistance.

"STATE PLANS FOR MEDICAL ASSISTANCE

"SEC. 1902. (a) A State plan for medical assistance must—

"(1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them;

"(2) provide for financial participation by the State equal to not less than 40 per centum of the non-Federal share of the expenditures under the plan with respect to which payments under section 1903 are authorized by this title; and, effective July 1, 1970, provide for financial participation by the State equal to all of such non-Federal share or provide for distribution of funds from Federal or State sources, for carrying out the State plan, on an equalization or other basis which will assure that the lack of adequate funds from local sources will not result in lowering the amount, duration, scope, or quality of care and services available under the plan;

"(3) provide for granting an opportunity for a fair hearing before the State agency to any individual whose claim for medical assistance under the plan is denied or is not acted upon with reasonable promptness;

"(4) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods, and including provision for utilization of professional medical personnel in the administration and, where administered locally, supervision of administration of the plan) as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"(5) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan, except that the determination of eligibility for medical assistance under the plan shall be made by the State or local agency administering the State plan approved under title I or XVI (insofar as it relates to the aged);

42 USC 301-306, 1381-1385.

"(6) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports;

"(7) provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the plan;

"(8) provide that all individuals wishing to make application for medical assistance under the plan shall have opportunity to do so, and that such assistance shall be furnished with reasonable promptness to all eligible individuals;

"(9) provide for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for private or public institutions in which recipients of medical assistance under the plan may receive care or services;

"(10) provide for making medical assistance available to all individuals receiving aid or assistance under State plans approved under titles I, IV, X, XIV, and XVI; and— 42 USC 301, 601, 1201, 1351, 1381.

"(A) provide that the medical assistance made available to individuals receiving aid or assistance under any such State plan—

"(i) shall not be less in amount, duration, or scope than the medical assistance made available to individuals receiving aid or assistance under any other such State plan, and

"(ii) shall not be less in amount, duration, or scope than the medical or remedial care and services made available to individuals not receiving aid or assistance under any such plan; and

"(B) if medical or remedial care and services are included for any group of individuals who are not receiving aid or assistance under any such State plan and who do not meet the income and resources requirements of the one of such State plans which is appropriate, as determined in accordance with standards prescribed by the Secretary, provide—

"(i) for making medical or remedial care and services available to all individuals who would, if needy, be eligible for aid or assistance under any such State plan and who have insufficient (as determined in accordance with comparable standards) income and resources to meet the costs of necessary medical or remedial care and services, and

"(ii) that the medical or remedial care and services made available to all individuals not receiving aid or assistance under any such State plan shall be equal in amount, duration, and scope;

except that the making available of the services described in paragraph (4) or (14) of section 1905(a) to individuals meeting the age requirement prescribed therein shall not, by reason of this paragraph (10), require the making available of any such services, or the making available of such services of the same amount, duration, and scope, to individuals of any other ages; Post, p. 351.

"(11) provide for entering into cooperative arrangements with the State agencies responsible for administering or supervising the administration of health services and vocational rehabilitation services in the State looking toward maximum utilization of such services in the provision of medical assistance under the plan;

"(12) provide that, in determining whether an individual is blind, there shall be an examination by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select;

"(13) provide for inclusion of some institutional and some noninstitutional care and services, and, effective July 1, 1967, provide (A) for inclusion of at least the care and services listed in clauses (1) through (5) of section 1905(a), and (B) for

payment of the reasonable cost (as determined in accordance with standards approved by the Secretary and included in the plan) of inpatient hospital services provided under the plan;

"(14) provide that (A) no deduction, cost sharing, or similar charge will be imposed under the plan on the individual with respect to inpatient hospital services furnished him under the plan, and (B) any deduction, cost sharing, or similar charge imposed under the plan with respect to any other medical assistance furnished him thereunder, and any enrollment fee, premium, or similar charge imposed under the plan, shall be reasonably related (as determined in accordance with standards approved by the Secretary and included in the plan) to the recipient's income or his income and resources;

"(15) in the case of eligible individuals 65 years of age or older who are covered by either or both of the insurance programs established by title XVIII, provide—

Ante, p. 291.

"(A) for meeting the full cost of any deductible imposed with respect to any such individual under the insurance program established by part A of such title; and

"(B) where, under the plan, all of any deductible, cost sharing, or similar charge imposed with respect to any such individual under the insurance program established by part B of such title is not met, the portion thereof which is met shall be determined on a basis reasonably related (as determined in accordance with standards approved by the Secretary and included in the plan) to such individual's income or his income and resources;

"(16) provide for inclusion, to the extent required by regulations prescribed by the Secretary, of provisions (conforming to such regulations) with respect to the furnishing of medical assistance under the plan to individuals who are residents of the State but are absent therefrom;

"(17) include reasonable standards (which shall be comparable for all groups) for determining eligibility for and the extent of medical assistance under the plan which (A) are consistent with the objectives of this title, (B) provide for taking into account only such income and resources as are, as determined in accordance with standards prescribed by the Secretary, available to the applicant or recipient and (in the case of any applicant or recipient who would, if he met the requirements as to need, be eligible for aid or assistance in the form of money payments under a State plan approved under title I, IV, X, XIV, or XVI) as would not be disregarded (or set aside for future needs) in determining his eligibility for and amount of such aid or assistance under such plan, (C) provide for reasonable evaluation of any such income or resources, and (D) do not take into account the financial responsibility of any individual for any applicant or recipient of assistance under the plan unless such applicant or recipient is such individual's spouse or such individual's child who is under age 21 or is blind or permanently and totally disabled; and provide for flexibility in the application of such standards with respect to income by taking into account, except to the extent prescribed by the Secretary, the costs (whether in the form of insurance premiums or otherwise) incurred for medical care or for any other type of remedial care recognized under State law;

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

"(18) provide that no lien may be imposed against the property of any individual prior to his death on account of medical assistance paid or to be paid on his behalf under the plan (except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual), and that there shall be no adjustment or recovery (except, in the case of an individual who was 65 years of age or older when he received such assistance, from his estate, and then only after the death of his surviving spouse, if any, and only at a time when he has no surviving child who is under age 21 or is blind or permanently and totally disabled) of any medical assistance correctly paid on behalf of such individual under the plan;

"(19) provide such safeguards as may be necessary to assure that eligibility for care and services under the plan will be determined, and such care and services will be provided, in a manner consistent with simplicity of administration and the best interests of the recipients;

"(20) if the State plan includes medical assistance in behalf of individuals 65 years of age or older who are patients in institutions for mental diseases—

"(A) provide for having in effect such agreements or other arrangements with State authorities concerned with mental diseases, and, where appropriate, with such institutions, as may be necessary for carrying out the State plan, including arrangements for joint planning and for development of alternate methods of care, arrangements providing assurance of immediate readmittance to institutions where needed for individuals under alternate plans of care, and arrangements providing for access to patients and facilities, for furnishing information, and for making reports;

"(B) provide for an individual plan for each such patient to assure that the institutional care provided to him is in his best interests, including, to that end, assurances that there will be initial and periodic review of his medical and other needs, that he will be given appropriate medical treatment within the institution, and that there will be a periodical determination of his need for continued treatment in the institution;

"(C) provide for the development of alternate plans of care, making maximum utilization of available resources, for recipients 65 years of age or older who would otherwise need care in such institutions, including appropriate medical treatment and other aid or assistance; for services referred to in section 3(a)(4)(A) (i) and (ii) or section 1603(a)(4)(A) (i) and (ii) which are appropriate for such recipients and for such patients; and for methods of administration necessary to assure that the responsibilities of the State agency under the State plan with respect to such recipients and such patients will be effectively carried out; and

76 Stat. 173, 200.
42 USC 303, 1383.

"(D) provide methods of determining the reasonable cost of institutional care for such patients;

"(21) if the State plan includes medical assistance in behalf of individuals 65 years of age or older who are patients in public institutions for mental diseases, show that the State is making satisfactory progress toward developing and implementing a comprehensive mental health program, including provision for utilization of community mental health centers, nursing homes, and other alternatives to care in public institutions for mental diseases; and

"(22) include descriptions of (A) the kinds and numbers of professional medical personnel and supporting staff that will be used in the administration of the plan and of the responsibilities they will have, (B) the standards, for private or public institutions in which recipients of medical assistance under the plan may receive care or services, that will be utilized by the State authority or authorities responsible for establishing and maintaining such standards, (C) the cooperative arrangements with State health agencies and State vocational rehabilitation agencies entered into with a view to maximum utilization of and coordination of the provision of medical assistance with the services administered or supervised by such agencies, and (D) other standards and methods that the State will use to assure that medical or remedial care and services provided to recipients of medical assistance are of high quality.

Notwithstanding paragraph (5), if on January 1, 1965, and on the date on which a State submits its plan for approval under this title, the State agency which administered or supervised the administration of the plan of such State approved under title X (or title XVI, insofar as it relates to the blind) was different from the State agency which administered or supervised the administration of the State plan approved under title I (or title XVI, insofar as it relates to the aged), the State agency which administered or supervised the administration of such plan approved under title X (or title XVI, insofar as it relates to the blind) may be designated to administer or supervise the administration of the portion of the State plan for medical assistance which relates to blind individuals and a different State agency may be established or designated to administer or supervise the administration of the rest of the State plan for medical assistance; and in such case the part of the plan which each such agency administers, or the administration of which each such agency supervises, shall be regarded as a separate plan for purposes of this title (except for purposes of paragraph (10)).

42 USC 1201-1206, 1381-1385.

42 USC 301-306.

"(b) The Secretary shall approve any plan which fulfills the conditions specified in subsection (a), except that he shall not approve any plan which imposes, as a condition of eligibility for medical assistance under the plan—

"(1) an age requirement of more than 65 years; or

"(2) effective July 1, 1967, any age requirement which excludes any individual who has not attained the age of 21 and is or would, except for the provisions of section 406(a)(2), be a dependent child under title IV; or

78 Stat. 1042.
42 USC 606.
42 USC 601-609.

"(3) any residence requirement which excludes any individual who resides in the State; or

"(4) any citizenship requirement which excludes any citizen of the United States.

"(c) Notwithstanding subsection (b), the Secretary shall not approve any State plan for medical assistance if he determines that the approval and operation of the plan will result in a reduction in aid or assistance (other than so much of the aid or assistance as is provided for under the plan of the State approved under this title) provided for eligible individuals under a plan of such State approved under title I, IV, X, XIV, or XVI.

42 USC 301 *et seq.*

"PAYMENT TO STATES

"SEC. 1903. (a) From the sums appropriated therefor, the Secretary (except as otherwise provided in this section and section 1117) shall pay to each State which has a plan approved under this title, for each quarter, beginning with the quarter commencing January 1, 1966—

Post, p. 420.

"(1) an amount equal to the Federal medical assistance percentage (as defined in section 1905(b)) of the total amount expended during such quarter as medical assistance under the State plan (including expenditures for premiums under part B of title XVIII, for individuals who are recipients of money payments under a State plan approved under title I, IV, X, XIV, or XVI, and other insurance premiums for medical or any other type of remedial care or the cost thereof); plus

Ante, p. 301.

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

"(2) an amount equal to 75 per centum of so much of the sums expended during such quarter (as found necessary by the Secretary for the proper and efficient administration of the State plan) as are attributable to compensation or training of skilled professional medical personnel, and staff directly supporting such personnel, of the State agency (or of the local agency administering the State plan in the political subdivision); plus

"(3) an amount equal to 50 per centum of the remainder of the amounts expended during such quarter as found necessary by the Secretary for the proper and efficient administration of the State plan.

"(b) Notwithstanding the preceding provisions of this section, the amount determined under such provisions for any State for any quarter which is attributable to expenditures with respect to individuals 65 years of age or older who are patients in institutions for mental diseases shall be paid only to the extent that the State makes a showing satisfactory to the Secretary that total expenditures from Federal, State, and local sources for mental health services (including payments to or in behalf of individuals with mental health problems) under State and local public health and public welfare programs for such quarter exceed the average of the total expenditures from such sources for such services under such programs for each quarter of the fiscal year ending June 30, 1965. For purposes of this subsection, expenditures for such services for each quarter in the fiscal year ending June 30, 1965, in the case of any State shall be determined on the basis of the latest data, satisfactory to the Secretary, available to him at the time of the first determination by him under this subsection for such State; and expenditures for such services for any quarter beginning after December 31, 1965, in the case of any State shall be determined on the basis of the latest data, satisfactory to the Secretary, available to him at the time of the determination under this subsection for such State for such quarter; and determinations so made shall be conclusive for purposes of this subsection.

"(c)(1) If the Secretary finds, on the basis of satisfactory information furnished by a State, that the Federal medical assistance percentage for such State applicable to any quarter in the period beginning January 1, 1966, and ending with the close of June 30, 1969, is less than 105 per centum of the Federal share of medical expenditures by the State during the fiscal year ending June 30, 1965 (as determined under paragraph (2)), then 105 per centum of such Federal share shall be the Federal medical assistance percentage (instead of the percentage determined under section 1905(b)) for such State for

such quarter and each quarter thereafter occurring in such period and prior to the first quarter with respect to which such a finding is not applicable.

"(2) For purposes of paragraph (1), the Federal share of medical expenditures by a State during the fiscal year ending June 30, 1965, means the percentage which the excess of—

42 USC 303, 603, 1203, 1353, 1383.

"(A) the total of the amounts determined under sections 3, 403, 1003, 1403, and 1603 with respect to expenditures by such State during such year as aid or assistance under its State plans approved under titles I, IV, X, XIV, and XVI, over

"(B) the total of the amounts which would have been determined under such sections with respect to such expenditures during such year if expenditures as aid or assistance in the form of medical or any other type of remedial care had not been counted,

is of the total expenditures as aid or assistance in the form of medical or any other type of remedial care under such plans during such year.

"(d)(1) Prior to the beginning of each quarter, the Secretary shall estimate the amount to which a State will be entitled under subsections (a), (b), and (c) for such quarter, such estimates to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsections, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (B) such other investigation as the Secretary may find necessary.

"(2) The Secretary shall then pay to the State, in such installments as he may determine, the amount so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to such State for any prior quarter and with respect to which adjustment has not already been made under this subsection.

"(3) The pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered during any quarter by the State or any political subdivision thereof with respect to medical assistance furnished under the State plan shall be considered an overpayment to be adjusted under this subsection.

"(4) Upon the making of any estimate by the Secretary under this subsection, any appropriations available for payments under this section shall be deemed obligated.

"(e) The Secretary shall not make payments under the preceding provisions of this section to any State unless the State makes a satisfactory showing that it is making efforts in the direction of broadening the scope of the care and services made available under the plan and in the direction of liberalizing the eligibility requirements for medical assistance, with a view toward furnishing by July 1, 1975, comprehensive care and services to substantially all individuals who meet the plan's eligibility standards with respect to income and resources, including services to enable such individuals to attain or retain independence or self-care.

"OPERATION OF STATE PLANS

"SEC. 1904. If the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan approved under this title, finds—

"(1) that the plan has been so changed that it no longer complies with the provisions of section 1902; or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision;

the Secretary shall notify such State agency that further payments will not be made to the State (or, in his discretion, that payments will be limited to categories under or parts of the State plan not affected by such failure), until the Secretary is satisfied that there will no longer be any such failure to comply. Until he is so satisfied he shall make no further payments to such State (or shall limit payments to categories under or parts of the State plan not affected by such failure).

"DEFINITIONS

"SEC. 1905. For purposes of this title—

"(a) The term 'medical assistance' means payment of part or all of the cost of the following care and services (if provided in or after the third month before the month in which the recipient makes application for assistance) for individuals who are—

"(i) under the age of 21,

"(ii) relatives specified in section 406(b)(1) with whom a child is living if such child, except for section 406(a)(2), is (or would, if needy, be) a dependent child under title IV,

"(iii) 65 years of age or older,

"(iv) blind, or

"(v) 18 years of age or older and permanently and totally disabled,

but whose income and resources are insufficient to meet all of such cost—

"(1) inpatient hospital services (other than services in an institution for tuberculosis or mental diseases);

"(2) outpatient hospital services;

"(3) other laboratory and X-ray services;

"(4) skilled nursing home services (other than services in an institution for tuberculosis or mental diseases) for individuals 21 years of age or older;

"(5) physicians' services, whether furnished in the office, the patient's home, a hospital, or a skilled nursing home, or elsewhere;

"(6) medical care, or any other type of remedial care recognized under State law, furnished by licensed practitioners within the scope of their practice as defined by State law;

"(7) home health care services;

"(8) private duty nursing services;

"(9) clinic services;

"(10) dental services;

"(11) physical therapy and related services;

"(12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in diseases of the eye or by an optometrist, whichever the individual may select;

"(13) other diagnostic, screening, preventive, and rehabilitative services;

64 Stat. 551; 76 Stat. 189, 190. 42 USC 606. 78 Stat. 1042; *Post*, p. 422. 42 USC 601-609.

"(14) inpatient hospital services and skilled nursing home services for individuals 65 years of age or over in an institution for tuberculosis or mental diseases; and

"(15) any other medical care, and any other type of remedial care recognized under State law, specified by the Secretary;

except that such term does not include—

"(A) any such payments with respect to care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution); or

"(B) any such payments with respect to care or services for any individual who has not attained 65 years of age and who is a patient in an institution for tuberculosis or mental diseases.

"(b) The term 'Federal medical assistance percentage' for any State shall be 100 per centum less the State percentage; and the State percentage shall be that percentage which bears the same ratio to 45 per centum as the square of the per capita income of such State bears to the square of the per capita income of the continental United States (including Alaska) and Hawaii; except that (1) the Federal medical assistance percentage shall in no case be less than 50 per centum or more than 83 per centum, and (2) the Federal medical assistance percentage for Puerto Rico, the Virgin Islands, and Guam shall be 55 per centum. The Federal medical assistance percentage for any State shall be determined and promulgated in accordance with the provisions of subparagraph (B) of section 1101(a) (8); except that the Secretary shall promulgate such percentage as soon as possible after the enactment of this title, which promulgation shall be conclusive for each of the six quarters in the period beginning January 1, 1966, and ending with the close of June 30, 1967."

72 Stat. 1050.
42 USC 1301.

(b) No payment may be made to any State under title I, IV, X, XIV, or XVI of the Social Security Act with respect to aid or assistance in the form of medical or any other type of remedial care for any period for which such State receives payments under title XIX of such Act, or for any period after December 31, 1969.

42 USC 301 *et seq.*

Ante, p. 343.

(c) (1) Effective January 1, 1966, section 1101(a) (1) of the Social Security Act is amended by striking out "and XVI" and inserting in lieu thereof "XVI, and XIX".

74 Stat. 985;
76 Stat. 206.
42 USC 1301.

(2) Section 1109 of such Act is amended to read as follows:

66 Stat. 778.
42 USC 1309.

"AMOUNTS DISREGARDED NOT TO BE TAKEN INTO ACCOUNT IN DETERMINING ELIGIBILITY OF OTHER INDIVIDUALS

"SEC. 1109. Any amount which is disregarded (or set aside for future needs) in determining the eligibility of and amount of the aid or assistance for any individual under a State plan approved under title I, IV, X, XIV, XVI, or XIX shall not be taken into consideration in determining the eligibility of and amount of aid or assistance for any other individual under a State plan approved under any other of such titles."

(3) Effective January 1, 1966, section 1115 of such Act is amended by striking out "or XVI", "or 1602", and "or 1603" and inserting in lieu thereof "XVI, or XIX", "1602, or 1902", and "1603, or 1903", respectively.

76 Stat. 192.
42 USC 1315.

PAYMENT BY STATES OF PREMIUMS FOR SUPPLEMENTARY MEDICAL INSURANCE

SEC. 122. Sections 3(a), 403(a), 1003(a), 1403(a), and 1603(a) of the Social Security Act are each amended by inserting "premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other" after "expenditures for" in the parenthetical phrase appearing in so much of paragraph (1) thereof as precedes clause (A), and in the parenthetical phrase appearing in paragraph (2) thereof.

76 Stat. 194, 174, 195, 200. 42 USC 303, 603, 1203, 1353, 1383.

TITLE II—OTHER AMENDMENTS RELATING TO HEALTH CARE

PART 1—MATERNAL AND CHILD HEALTH AND CRIPPLED CHILDREN'S SERVICES

INCREASE IN MATERNAL AND CHILD HEALTH SERVICES

SEC. 201. (a) The first sentence of section 501 of the Social Security Act is amended by striking out "$40,000,000" and all that follows and inserting in lieu thereof "$45,000,000 for the fiscal year ending June 30, 1966, $50,000,000 for the fiscal year ending June 30, 1967, $55,000,000 for the fiscal year ending June 30, 1968, $55,000,000 for the fiscal year ending June 30, 1969, and $60,000,000 for the fiscal year ending June 30, 1970, and each fiscal year thereafter."

77 Stat. 273. 42 USC 701.

(b) Section 504 of such Act is amended by adding at the end thereof the following new subsection:

49 Stat. 630. 42 USC 704.

"(d) Notwithstanding the preceding provisions of this section, no payment shall be made to any State thereunder for any period after June 30, 1966, unless it makes a satisfactory showing that the State is extending the provision of maternal and child health services in the State with a view to making such services available by July 1, 1975, to children in all parts of the State."

INCREASE IN CRIPPLED CHILDREN'S SERVICES

SEC. 202. (a) The first sentence of section 511 of the Social Security Act is amended by striking out "$40,000,000" and all that follows and inserting in lieu thereof "$45,000,000 for the fiscal year ending June 30, 1966, $50,000,000 for the fiscal year ending June 30, 1967, $55,000,000 for the fiscal year ending June 30, 1968, $55,000,000 for the fiscal year ending June 30, 1969, and $60,000,000 for the fiscal year ending June 30, 1970, and each fiscal year thereafter."

77 Stat. 273. 42 USC 711.

(b) Section 514 of such Act is amended by adding at the end thereof the following new subsection:

49 Stat. 632; 53 Stat. 1381. 42 USC 714.

"(d) Notwithstanding the preceding provisions of this subsection, no payment shall be made to any State thereunder for any period after June 30, 1966, unless it makes a satisfactory showing that the State is extending the provision of crippled children's services in the State with a view to making such services available by July 1, 1975, to children in all parts of the State."

TRAINING OF PROFESSIONAL PERSONNEL FOR THE CARE OF CRIPPLED CHILDREN

SEC. 203. (a) Part 2 of title V of the Social Security Act is amended by adding at the end thereof the following new section:

49 Stat. 631. 42 USC 711-715.

"TRAINING OF PROFESSIONAL PERSONNEL

"SEC. 516. There are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1967, $10,000,000 for the fiscal year ending June 30, 1968, and $17,500,000 for each fiscal year thereafter, for grants by the Secretary to public or other nonprofit institutions of higher learning for training professional personnel for health and related care of crippled children, particularly mentally retarded children and children with multiple handicaps."

53 Stat. 1381.
42 USC 714.

(b) The second sentence of section 514(c) of such Act is amended by striking out "section 512(b)" and inserting in lieu thereof "section 512(b) or 516".

PAYMENT FOR INPATIENT HOSPITAL SERVICES

49 Stat. 630.
42 USC 703.

SEC. 204. (a) Section 503(a) of the Social Security Act is amended by striking out "and" before clause (7) and by inserting before the period at the end thereof the following new clause: "; and (8) effective July 1, 1967, provide for payment of the reasonable cost (as determined in accordance with standards approved by the Secretary and included in the plan) of inpatient hospital services provided under the plan".

42 USC 713.

(b) Section 513(a) of such Act is amended by striking out "and" before clause (6) and by inserting before the period at the end thereof the following new clause: "; and (7) effective July 1, 1967, provide for payment of the reasonable cost (as determined in accordance with standards approved by the Secretary and included in the plan) of inpatient hospital services provided under the plan".

SPECIAL PROJECT GRANTS FOR HEALTH OF SCHOOL AND PRESCHOOL CHILDREN

77 Stat. 274.
42 USC 729, 729a.

SEC. 205. Part 4 of title V of the Social Security Act is amended (1) by revising the heading thereof to read as follows: "PART 4—GRANTS FOR SPECIAL MATERNITY AND INFANT CARE PROJECTS, FOR PROJECTS FOR HEALTH OF SCHOOL AND PRESCHOOL CHILDREN, AND FOR RESEARCH PROJECTS"; (2) by redesignating section 532 as section 533; and (3) by inserting after section 531 the following new section:

"SPECIAL PROJECT GRANTS FOR HEALTH OF SCHOOL AND PRESCHOOL CHILDREN

"SEC. 532. (a) In order to promote the health of children and youth of school or preschool age, particularly in areas with concentrations of low-income families, there are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1966, $35,000,000 for the fiscal year ending June 30, 1967, $40,000,000 for the fiscal year ending June 30, 1968, $45,000,000 for the fiscal year ending June 30, 1969, and $50,000,000 for the fiscal year ending June 30, 1970, for grants as provided in this section.

"(b) From the sums appropriated pursuant to subsection (a), the Secretary is authorized to make grants to the State health agency of any State and (with the consent of such agency) to the health agency of any political subdivision of the State, to the State agency of the State administering or supervising the administration of the State plan approved under section 513, to any school of medicine (with appropriate participation by a school of dentistry), and to any teaching hospital affiliated with such a school, to pay not to exceed 75 per centum of the cost of projects of a comprehensive nature for health

care and services for children and youth of school age or for preschool children (to help them prepare to start school). No project shall be eligible for a grant under this section unless it provides (1) for the coordination of health care and services provided under it with, and utilization (to the extent feasible) of, other State or local health, welfare, and education programs for such children, (2) for payment of the reasonable cost (as determined in accordance with standards approved by the Secretary) of inpatient hospital services provided under the project, and (3) that any treatment, correction of defects, or aftercare provided under the project is available only to children who would not otherwise receive it because they are from low-income families or for other reasons beyond their control; and no such project for children and youth of school age shall be considered to be of a comprehensive nature for purposes of this section unless it includes (subject to the limitation in the preceding provisions of this sentence) at least such screening, diagnosis, preventive services, treatment, correction of defects, and aftercare, both medical and dental, as may be provided for in regulations of the Secretary.

"(c) Payment of grants under this section may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine."

EVALUATION AND REPORT

Report to President and Congress.

SEC. 206. The Secretary shall submit to the President for transmission to the Congress before July 1, 1969, a full report of the administration of the provisions of section 532 of the Social Security Act (as added by section 205 of this Act), together with an evaluation of the program established thereby and his recommendations as to continuation of and modifications in that program.

INCREASE IN CHILD WELFARE SERVICES

42 USC 721.

SEC. 207. Section 521 of the Social Security Act is amended by striking out "$40,000,000" and all that follows and inserting in lieu thereof "$40,000,000 for the fiscal year ending June 30, 1965, $45,000,000 for the fiscal year ending June 30, 1966, $50,000,000 for the fiscal year ending June 30, 1967, $55,000,000 for the fiscal year ending June 30, 1968, $55,000,000 for the fiscal year ending June 30, 1969, and $60,000,000 for the fiscal year ending June 30, 1970, and each fiscal year thereafter."

DAY CARE SERVICES

SEC. 208. (a)(1) Part 3 of title V of the Social Security Act is amended by striking out section 527. 76 Stat. 183.

(2) The second sentence of section 1108 of such Act is amended by striking out "522(a), and 527(a)" and inserting in lieu thereof "and 522(a)" and by striking out "(or, in the case of section 527(a), the minimum)". 42 USC 727. 42 USC 1308.

(b) Section 522 of such Act is amended to read as follows: 42 USC 722.

"ALLOTMENTS TO STATES

"SEC. 522. The sum appropriated pursuant to section 521 for each fiscal year shall be allotted by the Secretary for use by cooperating State public welfare agencies which have plans developed jointly by the State agency and the Secretary, as follows: He shall allot $70,000

to each State, and shall allot to each State an amount which bears the same ratio to the remainder of the sum so appropriated for such year as the product of (1) the population of such State under the age of 21 and (2) the allotment percentage of such State (as determined under section 524) bears to the sum of the corresponding products of all the States."

42 USC 724.

42 USC 723.

(c) Section 523(a)(1)(B) of such Act is amended by striking out "and" at the end of clause (iii) and by inserting after clause (iv) the following new clause:

"(v) that day care provided under the plan will be provided only in facilities (including private homes) which are licensed by the State, or approved (as meeting the standards established for such licensing) by the State agency responsible for licensing facilities of this type, and".

Effective date.

(d) The amendments made by this section shall take effect on January 1, 1966.

PART 2—IMPLEMENTATION OF MENTAL RETARDATION PLANNING

AUTHORIZATION OF APPROPRIATIONS

77 Stat. 275.
42 USC 1391.

SEC. 211. (a) Section 1701 of the Social Security Act is amended by adding at the end thereof the following new sentence: "There are also authorized to be appropriated, for assisting such States in initiating the implementation and carrying out of planning and other steps to combat mental retardation, $2,750,000 for the fiscal year ending June 30, 1966, and $2,750,000 for the fiscal year ending June 30, 1967."

42 USC 1392.

(b) The first sentence of section 1702 of such Act is amended by inserting "the first sentence of" before "section 1701" and by inserting the following before the period at the end thereof "; and the sums appropriated pursuant to the second sentence of such section for the fiscal year ending June 30, 1966, shall be available for such grants during such year and the next two fiscal years, and sums appropriated pursuant thereto for the fiscal year ending June 30, 1967, shall be available for such grants during such year and the succeeding fiscal year".

PART 3—PUBLIC ASSISTANCE AMENDMENTS RELATING TO HEALTH CARE

REMOVAL OF LIMITATIONS ON FEDERAL PARTICIPATION IN ASSISTANCE TO INDIVIDUALS WITH TUBERCULOSIS OR MENTAL DISEASE

64 Stat. 549;
74 Stat. 991;
Post, p. 415.
42 USC 306.

SEC. 221. (a)(1) Section 6(a) of the Social Security Act is amended to read as follows:

"(a) For the purposes of this title, the term 'old-age assistance' means money payments to, or (if provided in or after the third month before the month in which the recipient makes application for assistance) medical care in behalf of or any type of remedial care recognized under State law in behalf of, needy individuals who are 65 years of age or older, but does not include any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution)."

(2) Section 6(b) of such Act is amended by striking out all that follows clause (12) and inserting in lieu thereof the following: "except that such term does not include any such payments with respect to care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution)."

(3) Section 2(a) of such Act is amended (A) by striking out "and" at the end of paragraph (10); (B) by striking out the period at the end of paragraph (11) and inserting in lieu thereof a semicolon; and (C) by adding after paragraph (11) the following new paragraphs: 74 Stat. 987. 42 USC 302.

"(12) if the State plan includes assistance to or in behalf of individuals who are patients in institutions for mental diseases—

"(A) provide for having in effect such agreements or other arrangements with State authorities concerned with mental diseases, and, where appropriate, with such institutions, as may be necessary for carrying out the State plan, including arrangements for joint planning and for development of alternate methods of care, arrangements providing assurance of immediate readmittance to institutions where needed for individuals under alternate plans of care, and arrangements providing for access to patients and facilities, for furnishing information, and for making reports;

"(B) provide for an individual plan for each such patient to assure that the institutional care provided to him is in his best interests, including, to that end, assurances that there will be initial and periodic review of his medical and other needs, that he will be given appropriate medical treatment within the institution, and that there will be a periodic determination of his need for continued treatment in the institution;

"(C) provide for the development of alternate plans of care, making maximum utilization of available resources, for recipients who would otherwise need care in such institutions, including appropriate medical treatment and other assistance; for services referred to in section 3(a)(4)(A) (i) and (ii) which are appropriate for such recipients and for such patients; and for methods of administration necessary to assure that the responsibilities of the State agency under the State plan with respect to such recipients and such patients will be effectively carried out; and 76 Stat. 173. 42 USC 303.

"(D) provide methods of determining the reasonable cost of institutional care for such patients; and

"(13) if the State plan includes assistance to or in behalf of patients in public institutions for mental diseases, show that the State is making satisfactory progress toward developing and implementing a comprehensive mental health program, including provision for utilization of community mental health centers, nursing homes, and other alternatives to care in public institutions for mental diseases."

(4) Section 3 of such Act is amended by adding at the end thereof the following new subsection: 53 Stat. 1361; 76 Stat. 179. 42 USC 303.

"(d) Notwithstanding the preceding provisions of this section, the amount determined under such provisions for any State for any quarter which is attributable to expenditures with respect to patients in institutions for mental diseases shall be paid only to the extent that the State makes a showing satisfactory to the Secretary that total expenditures in the State from Federal, State, and local sources for mental health services (including payments to or in behalf of individuals with mental health problems) under State and local public health and public welfare programs for such quarter exceed the average of the total expenditures in the State from such sources for such services under such programs for each quarter of the fiscal year ending June 30, 1965. For purposes of this subsection, expenditures for such services for each quarter in the fiscal year ending June 30, 1965, in the

case of any State shall be determined on the basis of the latest data, satisfactory to the Secretary, available to him at the time of the first determination by him under this subsection for such State; and expenditures for such services for any quarter beginning after December 31, 1965, in the case of any State shall be determined on the basis of the latest data, satisfactory to the Secretary, available to him at the time of the determination under this subsection for such State for such quarter; and determinations so made shall be conclusive for purposes of this subsection."

64 Stat. 554; Post, p. 416. 42 USC 1206.

(b) Section 1006 of such Act is amended by striking out clauses (a) and (b) and inserting in lieu thereof the following: "who is a patient in an institution for tuberculosis or mental diseases".

Post, p. 417. 42 USC 1355.

(c) Section 1405 of such Act is amended by striking out clauses (a) and (b) and inserting in lieu thereof the following: "who is a patient in an institution for tuberculosis or mental diseases".

76 Stat. 204; Post, p. 416. 42 USC 1385.

(d)(1) Section 1605(a) of such Act is amended to read as follows:

"(a) For purposes of this title, the term 'aid to the aged, blind, or disabled' means money payments to, or (if provided in or after the third month before the month in which the recipient makes application for aid) medical care in behalf of or any type of remedial care recognized under State law in behalf of, needy individuals who are 65 years of age or older, are blind, or are 18 years of age or over and permanently and totally disabled, but such term does not include—

"(1) any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution); or

"(2) any such payments to or care in behalf of any individual who has not attained 65 years of age and who is a patient in an institution for tuberculosis or mental diseases."

(2) Section 1605(b) of such Act is amended by striking out all that follows clause (12) and inserting in lieu thereof the following:

"except that such term does not include any such payments with respect to care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution)."

Post, p. 418.

(3) Section 1602(a) of such Act (as amended by section 403(e) of this Act) is amended (A) by striking out "and" at the end of paragraph (14); (B) by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon; and (C) by adding after paragraph (15) the following new paragraphs:

"(16) if the State plan includes aid or assistance to or in behalf of individuals 65 years of age or older who are patients in institutions for mental diseases—

"(A) provide for having in effect such agreements or other arrangements with State authorities concerned with mental diseases, and, where appropriate, with such institutions, as may be necessary for carrying out the State plan, including arrangements for joint planning and for development of alternate methods of care, arrangements providing assurance of immediate readmittance to institutions where needed for individuals under alternate plans of care, and arrangements providing for access to patients and facilities, for furnishing information, and for making reports;

"(B) provide for an individual plan for each such patient to assure that the institutional care provided to him is in his best interests, including, to that end, assurances that there will be initial and periodic review of his medical and other needs, that he will be given appropriate medical treatment

within the institution, and that there will be a periodic determination of his need for continued treatment in the institution;

"(C) provide for the development of alternate plans of care, making maximum utilization of available resources, for recipients 65 years of age or older who would otherwise need care in such institutions, including appropriate medical treatment and other aid or assistance; for services referred to in section 1603(a)(4)(A) (i) and (ii) which are appropriate for such recipients and for such patients; and for methods of administration necessary to assure that the responsibilities of the State agency under the State plan with respect to such recipients and such patients will be effectively carried out; and

76 Stat. 200.
42 USC 1383.

"(D) provide methods of determining the reasonable cost of institutional care for such patients; and

"(17) if the State plan includes aid or assistance to or in behalf of individuals 65 years of age or older who are patients in public institutions for mental diseases, show that the State is making satisfactory progress toward developing and implementing a comprehensive mental health program, including provision for utilization of community mental health centers, nursing homes, and other alternatives to care in public institutions for mental diseases."

(4) Section 1603 of such Act is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding the preceding provisions of this section, the amount determined under such provisions for any State for any quarter which is attributable to expenditures with respect to individuals 65 years of age or older who are patients in institutions for mental diseases shall be paid only to the extent that the State makes a showing satisfactory to the Secretary that total expenditures in the State from Federal, State, and local sources for mental health services (including payments to or in behalf of individuals with mental health problems) under State and local public health and public welfare programs for such quarter exceed the average of the total expenditures in the State from such sources for such services under such programs for each quarter of the fiscal year ending June 30, 1965. For purposes of this subsection, expenditures for such services for each quarter in the fiscal year ending June 30, 1965, in the case of any State shall be determined on the basis of the latest data, satisfactory to the Secretary, available to him at the time of the first determination by him under this subsection for such State; and expenditures for such services for any quarter beginning after December 31, 1965, in the case of any State shall be determined on the basis of the latest data, satisfactory to the Secretary, available to him at the time of the determination under this subsection for such State for such quarter; and determinations so made shall be conclusive for purposes of this subsection."

(e) The amendments made by this section shall apply in the case of expenditures made after December 31, 1965, under a State plan approved under title I, X, XIV, or XVI of the Social Security Act.

42 USC 301 *et seq.*

AMENDMENT TO DEFINITION OF MEDICAL ASSISTANCE FOR THE AGED

74 Stat. 991.
42 USC 306.

SEC. 222. (a) Section 6(b) of the Social Security Act is amended by striking out "who are not recipients of old-age assistance" and inserting in lieu thereof "who are not recipients of old-age assistance (except, for any month, for recipients of old-age assistance who are admitted to or discharged from a medical institution during such month)".

76 Stat. 204.
42 USC 1385.

(b) Section 1605(b) of such Act is amended by striking out "who are not recipients of aid to the aged, blind, or disabled" and inserting in lieu thereof "who are not recipients of aid to the aged, blind, or disabled (except, for any month, for recipients of aid to the aged, blind, or disabled who are admitted to or discharged from a medical institution during such month)".

(c) The amendments made by this section shall apply in the case of expenditures under a State plan approved under title I or XVI of the Social Security Act with respect to care and services provided under such plan after June 1965.

42 USC 301, 1385.

PART 4—MISCELLANEOUS AMENDMENTS RELATING TO HEALTH CARE

HEALTH STUDY OF RESOURCES RELATING TO CHILDREN'S EMOTIONAL ILLNESS

Program grants.

SEC. 231. (a) The Secretary of Health, Education, and Welfare is authorized, upon the recommendation of the National Advisory Mental Health Council and after securing the advice of experts in pediatrics and child welfare, to make grants for carrying out a program of research into and study of our resources, methods, and practices for diagnosing or preventing emotional illness in children and of treating, caring for, and rehabilitating children with emotional illnesses.

(b) Such grants may be made to one or more organizations, but only on condition that the organization will undertake and conduct, or if more than one organization is to receive such grants, only on condition that such organizations have agreed among themselves to undertake and conduct, a coordinated program of research into and study of all aspects of the resources, methods, and practices referred to in subsection (a).

"Organization."

(c) As used in subsection (b), the term "organization" means a nongovernmental agency, organization, or commission, composed of representatives of leading national medical, welfare, educational, and other professional associations, organizations, or agencies active in the field of mental health of children.

Appropriation.

(d) There are authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $500,000 to be used for a grant or grants to help initiate the research and study provided for in this section; and the sum of $500,000 for the succeeding fiscal year for the making of such grants as may be needed to carry the research and study to completion. The terms of any such grant shall provide that the research and study shall be completed not later than two years from the date it is inaugurated; that the grantee shall file annual reports with the Congress, the Secretary, and the Governors of the several States, among others that the grantee may select; and that the final report shall be similarly filed.

Reports to Congress.

TITLE III—SOCIAL SECURITY AMENDMENTS

SHORT TITLE

SEC. 300. This title may be cited as the "Old-Age, Survivors, and Disability Insurance Amendments of 1965". Old-Age, Survivors, and Disability Insurance Amendments of 1965.

INCREASE IN OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE BENEFITS

SEC. 301. (a) Section 215(a) of the Social Security Act is amended by striking out the table and inserting in lieu thereof the following: 72 Stat. 1014. 42 USC 415.

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS

"I (Primary insurance benefit under 1939 Act, as modified)		II (Primary insurance amount under 1958 Act, as modified)	III (Average monthly wage)		IV (Primary insurance amount)	V (Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
------	$13.48	$40	---	$67	$44.00	$66.00
$13.49	14.00	41	$68	69	45.00	67.50
14.01	14.48	42	70	70	46.00	69.00
14.49	15.00	43	71	72	47.00	70.50
15.01	15.60	44	73	74	48.00	72.00
15.61	16.20	45	75	76	49.00	73.50
16.21	16.84	46	77	78	50.00	75.00
16.85	17.60	47	79	80	51.00	76.50
17.61	18.40	48	81	81	52.00	78.00
18.41	19.24	49	82	83	53.00	79.50
19.25	20.00	50	84	85	54.00	81.00
20.01	20.64	51	86	87	55.00	82.50
20.65	21.28	52	88	89	56.00	84.00
21.29	21.88	53	90	90	57.00	85.50
21.89	22.28	54	91	92	58.00	87.00
22.29	22.68	55	93	94	59.00	88.50
22.69	23.08	56	95	96	60.00	90.00
23.09	23.44	57	97	97	61.00	91.50
23.45	23.76	58	98	99	62.10	93.20
23.77	24.20	59	100	101	63.20	94.80
24.21	24.60	60	102	102	64.20	96.30
24.61	25.00	61	103	104	65.30	98.00
25.01	25.48	62	105	106	66.40	99.60
25.49	25.92	63	107	107	67.50	101.30
25.93	26.40	64	108	109	68.50	102.80
26.41	26.94	65	110	113	69.60	104.40
26.95	27.46	66	114	118	70.70	106.10
27.47	28.00	67	119	122	71.70	107.60
28.01	28.68	68	123	127	72.80	109.20
28.69	29.25	69	128	132	73.90	110.90
29.26	29.68	70	133	136	74.90	112.40
29.69	30.36	71	137	141	76.00	114.00
30.37	30.92	72	142	146	77.10	116.80
30.93	31.36	73	147	150	78.20	120.00
31.37	32.00	74	151	155	79.20	124.00
32.01	32.60	75	156	160	80.30	128.00
32.61	33.20	76	161	164	81.40	131.20
33.21	33.88	77	165	169	82.40	135.20
33.89	34.50	78	170	174	83.50	139.20
34.51	35.00	79	175	178	84.60	142.40
35.01	35.80	80	179	183	85.60	146.40
35.81	36.40	81	184	188	86.70	150.40
36.41	37.08	82	189	193	87.80	154.40
37.09	37.60	83	194	197	88.90	157.60
37.61	38.20	84	198	202	89.90	161.60
38.21	39.12	85	203	207	91.00	165.60
39.13	39.68	86	208	211	92.10	168.80
39.69	40.33	87	212	216	93.10	172.80
40.34	41.12	88	217	221	94.20	176.80
41.13	41.76	89	222	225	95.30	180.00
41.77	42.44	90	226	230	96.30	184.00
42.45	43.20	91	231	235	97.40	188.00

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS—Continued

"I (Primary insurance benefit under 1939 Act, as modified)		II (Primary insurance amount under 1958 Act, as modified)	III (Average monthly wage)		IV (Primary insurance amount)	V (Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
$43.21	$43.76	$92	$236	$239	$98.50	$191.20
43.77	44.44	93	240	244	99.60	195.20
44.45	44.88	94	245	249	100.60	199.20
44.89	45.60	95	250	253	101.70	202.40
		96	254	258	102.80	206.40
		97	259	263	103.80	210.40
		98	264	267	104.90	213.60
		99	268	272	106.00	217.60
		100	273	277	107.00	221.60
		101	278	281	108.10	224.80
		102	282	286	109.20	228.80
		103	287	291	110.30	232.80
		104	292	295	111.30	236.00
		105	296	300	112.40	240.00
		106	301	305	113.50	244.00
		107	306	309	114.50	247.20
		108	310	314	115.60	251.20
		109	315	319	116.70	255.20
		110	320	323	117.70	258.40
		111	324	328	118.80	262.40
		112	329	333	119.90	266.40
		113	334	337	121.00	269.60
		114	338	342	122.00	273.60
		115	343	347	123.10	277.60
		116	348	351	124.20	280.80
		117	352	356	125.20	284.80
		118	357	361	126.30	288.80
		119	362	365	127.40	292.00
		120	366	370	128.40	296.00
		121	371	375	129.50	298.00
		122	376	379	130.60	299.60
		123	380	384	131.70	301.60
		124	385	389	132.70	303.60
		125	390	393	133.80	305.20
		126	394	398	134.90	307.20
		127	399	403	135.90	309.20
			404	407	137.00	310.80
			408	412	138.00	312.80
			413	417	139.00	314.80
			418	421	140.00	316.40
			422	426	141.00	318.40
			427	431	142.00	320.40
			432	436	143.00	322.40
			437	440	144.00	324.00
			441	445	145.00	326.00
			446	450	146.00	328.00
			451	454	147.00	329.60
			455	459	148.00	331.60
			460	464	149.00	333.60
			465	468	150.00	335.20
			469	473	151.00	337.20
			474	478	152.00	339.20
			479	482	153.00	340.80
			483	487	154.00	342.80
			488	492	155.00	344.80
			493	496	156.00	346.40
			497	501	157.00	348.40
			502	506	158.00	350.40
			507	510	159.00	352.00
			511	515	160.00	354.00
			516	520	161.00	356.00
			521	524	162.00	357.60
			525	529	163.00	359.60
			530	534	164.00	361.60
			535	538	165.00	363.20
			539	543	166.00	365.20
			544	548	167.00	367.20
			549	550	168.00	368.00"

(b) Section 215(c) of such Act is amended to read as follows: 72 Stat. 1016. 42 USC 415.

"Primary Insurance Amount Under 1958 Act, as Modified

"(c)(1) For the purposes of column II of the table appearing in subsection (a) of this section, an individual's primary insurance amount shall be computed as provided in, and subject to the limitations specified in, (A) this section as in effect prior to the enactment of the Social Security Amendments of 1965, and (B) the applicable provisions of the Social Security Amendments of 1960. 74 Stat. 924. 42 USC 301 note.

"(2) The provisions of this subsection shall be applicable only in the case of an individual who became entitled to benefits under section 202(a) or section 223 before the date of enactment of the Social Security Amendments of 1965 or who died before such date." 64 Stat. 482; 70 Stat. 815. 42 USC 402, 423.

(c) Section 203(a) of such Act is amended by striking out paragraphs (2) and (3) and inserting in lieu thereof the following: 72 Stat. 1017; *Post*, p. 378. 42 USC 403.

"(2) when two or more persons were entitled (without the application of section 202(j)(1) and section 223(b)) to monthly benefits under section 202 or 223 for any month which begins after December 1964 and before the enactment of the Social Security Amendments of 1965, on the basis of the wages and self-employment income of such insured individual, such total of benefits for any month occurring after December 1964 shall not be reduced to less than the larger of—

"(A) the amount determined under this subsection without regard to this paragraph, or

"(B)(i) with respect to the month in which such Amendments are enacted or any prior month, an amount equal to the sum of the amounts derived by multiplying the benefit amount determined under this title (including this subsection, but without the application of section 222(b), section 202(q), and subsections (b), (c), and (d) of this section), as in effect prior to the enactment of such Amendments, for each such person (other than a person who would not be entitled to such benefits for such month without the application of the amendments made by section 306 of the Social Security Amendments of 1965), for such month, by 107 percent and raising each such increased amount, if it is not a multiple of $0.10, to the next higher multiple of $0.10, and 70 Stat. 817; 75 Stat. 131. 42 USC 422, 402.

"(ii) with respect to any month after the month in which such Amendments are enacted, an amount equal to the sum of the amounts derived by multiplying the benefit amount determined under this title (including this subsection, but without the application of section 222(b), section 202(q), and subsections (b), (c), and (d) of this section), as in effect prior to the enactment of such Amendments, for each such person (other than a person who would not be entitled to such benefits for such month without the application of the amendments made by section 306 of the Social Security Amendments of 1965) for the month of enactment, by 107 percent and raising each such increased amount, if it is not a multiple of $0.10, to the next higher multiple of $0.10;

but in any such case (I) paragraph (1) of this subsection shall not be applied to such total of benefits after the application of subparagraph (B) of this paragraph, and (II) if section 202(k)(2)(A) was applicable in the case of any of such benefits for any such month beginning before the enactment of the Social Secu- 64 Stat. 487. 42 USC 402.

rity Amendments of 1965, and ceases to apply after such month, the provisions of subparagraph (B) shall be applied, for and after the month in which such section 202(k)(2)(A) ceases to apply, as though paragraph (1) had not been applicable to such total of benefits for such month beginning prior to such enactment."

42 USC 402.

(d) The amendments made by subsections (a), (b), and (c) of this section shall apply with respect to monthly benefits under title II of the Social Security Act for months after December 1964 and with respect to lump-sum death payments under such title in the case of deaths occurring in or after the month in which this Act is enacted.

42 USC 401.

(e) If an individual is entitled to a disability insurance benefit under section 223 of the Social Security Act for December 1964 on the basis of an application filed after enactment of this Act and is entitled to old-age insurance benefits under section 202(a) of such Act for January 1965, then, for purposes of section 215(a)(4) of the Social Security Act (if applicable) the amount in column IV of the table appearing in such section 215(a) for such individual shall be the amount in such column on the line on which in column II appears his primary insurance amount (as determined under section 215(c) of such Act) instead of the amount in column IV equal to his disability insurance benefit.

70 Stat. 815.
42 USC 423.
42 USC 402.
75 Stat. 135;
Post, p. 370.
42 USC 415.
Ante, p. 361.

COMPUTATION AND RECOMPUTATION OF BENEFITS

SEC. 302. (a)(1) Subparagraph (C) of section 215 (b)(2) of the Social Security Act is amended to read as follows:

74 Stat. 960.
42 USC 415.

"(C) For purposes of subparagraph (B), 'computation base years' include only calendar years in the period after 1950 and prior to the earlier of the following years—

"(i) the year in which occurred (whether by reason of section 202(j)(1) or otherwise) the first month for which the individual was entitled to old-age insurance benefits, or

64 Stat. 487.
42 USC 402.

"(ii) the year succeeding the year in which he died.

Any calendar year all of which is included in a period of disability shall not be included as a computation base year."

(2) Clauses (A), (B), and (C) of the first sentence of section 215(b)(3) of such Act are amended to read as follows:

75 Stat. 135.

"(A) in the case of a woman, the year in which she died or, if it occurred earlier but after 1960, the year in which she attained age 62,

"(B) in the case of a man who has died, the year in which he died or, if it occurred earlier but after 1960, the year in which he attained age 65, or

"(C) in the case of a man who has not died, the year occurring after 1960 in which he attained (or would attain) age 65."

74 Stat. 960.

(3) Paragraphs (4) and (5) of section 215(b) of such Act are amended to read as follows:

"(4) The provisions of this subsection shall be applicable only in the case of an individual—

"(A) who becomes entitled, after December 1965, to benefits under section 202(a) or section 223; or

64 Stat. 482;
70 Stat. 815.
42 USC 402, 423.

"(B) who dies after December 1965 without being entitled to benefits under section 202(a) or section 223; or

"(C) whose primary insurance amount is required to be recomputed under subsection (f)(2), as amended by the Social Security Amendments of 1965;

Post, p. 365.

except that it shall not apply to any such individual for purposes of monthly benefits for months before January 1966.

"(5) For the purposes of column III of the table appearing in subsection (a) of this section, the provisions of this subsection, as in effect prior to the enactment of the Social Security Amendments of 1965, shall apply—

"(A) in the case of an individual to whom the provisions of this subsection are not made applicable by paragraph (4), but who, on or after the date of the enactment of the Social Security Amendments of 1965 and prior to 1966, met the requirements of this paragraph or paragraph (4), as in effect prior to such enactment, and

"(B) with respect to monthly benefits for months before January 1966, in the case of an individual to whom the provisions of this subsection are made applicable by paragraph (4)."

(b)(1) Subparagraph (A) of section 215(d)(1) of such Act is amended by striking out "(2)(C)(i) and (3)(A)(i)" and inserting in lieu thereof "(2)(C) and (3)", by striking out "December 31, 1936," and inserting in lieu thereof "1936", and by striking out "December 31, 1950" and inserting in lieu thereof "1950". 74 Stat. 961. 42 USC 415.

(2) Section 215(d)(3) of such Act is amended by striking out "1960" and inserting in lieu thereof "1965" and by striking out "but without regard to whether such individual has six quarters of coverage after 1950".

(c) Section 215(e) of such Act is amended by inserting "and" after the semicolon at the end of paragraph (1), by striking out "; and" at the end of paragraph (2) and inserting in lieu thereof a period, and by striking out paragraph (3). 64 Stat. 508.

(d)(1) Paragraph (2) of section 215(f) of such Act is amended to read as follows: 68 Stat. 1066.

"(2) With respect to each year—

"(A) which begins after December 31, 1964, and

"(B) for any part of which an individual is entitled to old-age insurance benefits,

the Secretary shall, at such time or times and within such period as he may by regulations prescribe, recompute the primary insurance amount of such individual. Such recomputation shall be made—

"(C) as provided in subsection (a)(1) and (3) if such year is either the year in which he became entitled to such old-age insurance benefits or the year preceding such year, or

"(D) as provided in subsection (a)(1) in any other case;

and in all cases such recomputation shall be made as though the year with respect to which such recomputation is made is the last year of the period specified in paragraph (2)(C) of subsection (b). A recomputation under this paragraph with respect to any year shall be effective—

"(E) in the case of an individual who did not die in such year, for monthly benefits beginning with benefits for January of the following year; or

"(F) in the case of an individual who died in such year (including any individual whose increase in his primary insurance amount is attributable to compensation which, upon his death, is treated as remuneration for employment under section 205 (o)), for monthly benefits beginning with benefits for the month in which he died." 64 Stat. 520. 42 USC 405.

(2) Effective January 2, 1966, paragraphs (3), (4), and (7) of such section are repealed, and paragraphs (5) and (6) of such section are redesignated as paragraphs (3) and (4), respectively.

74 Stat. 964; *Post*, p. 370. 42 USC 423.

(e)(1) The first sentence of section 223(a)(2) of such Act is amended by inserting before the period at the end thereof "and was entitled to an old-age insurance benefit for each month for which (pursuant to subsection (b)) he was entitled to a disability insurance benefit".

(2) The last sentence of section 223(a)(2) of such Act is amended by striking out "first year" and inserting in lieu thereof "year"; and by striking out the phrase "both was fully insured and had" both times it appears in such sentence.

(f)(1) The amendments made by subsection (c) shall apply only to individuals who become entitled to old-age insurance benefits under section 202(a) of the Social Security Act after 1965.

64 Stat. 482. 42 USC 402.

(2) Any individual who would, upon filing an application prior to January 2, 1966, be entitled to a recomputation of his monthly benefit amount for purposes of title II of the Social Security Act shall be deemed to have filed such application on the earliest date on which such application could have been filed, or on the day on which this Act is enacted, whichever is the later.

42 USC 401.

(3) In the case of an individual who died after 1960 and prior to 1966 and who was entitled to old-age insurance benefits under section 202(a) of the Social Security Act at the time of his death, the provisions of sections 215(f)(3)(B) and 215(f)(4) of such Act as in effect before the enactment of this Act shall apply.

74 Stat. 963; 68 Stat. 1068.

(4) In the case of a man who attains age 65 prior to 1966, or dies before such year, the provisions of section 215(f)(7) of the Social Security Act as in effect before the enactment of this Act shall apply.

(5) The amendments made by subsection (e) of this section shall apply in the case of individuals who become entitled to disability insurance benefits under section 223 of the Social Security Act after December 1965.

70 Stat. 815. 42 USC 423.

74 Stat. 964. 42 USC 415 note.

(6) Section 303(g)(1) of the Social Security Amendments of 1960 is amended—

(A) by striking out "notwithstanding the amendments made by the preceding subsections of this section," in the first sentence and inserting in lieu thereof "notwithstanding the amendments made by the preceding subsections of this section, or the amendments made by section 302 of the Social Security Amendments of 1965,"; and

(B) by striking out "Social Security Amendments of 1960," in the second sentence and inserting in lieu thereof "Social Security Amendments of 1960, or (if such individual becomes entitled to old-age insurance benefits after 1965, or dies after 1965 without becoming so entitled) as amended by the Social Security Amendments of 1965,".

Repeal.

68 Stat. 1070. 42 USC 415 note.

(7) Effective January 2, 1966, subparagraph (B) of section 102(f)(2) of the Social Security Amendments of 1954 is repealed.

DISABILITY INSURANCE BENEFITS

68 Stat. 1080. 42 USC 416.

SEC. 303. (a)(1) Clause (A) of the first sentence of section 216(i)(1) of the Social Security Act is amended by striking out "or to be of long-continued and indefinite duration" and inserting in lieu thereof "or has lasted or can be expected to last for a continuous period of not less than 12 months".

(2) So much of section 223(c)(2) of such Act as precedes the second sentence thereof is amended to read as follows: 70 Stat. 815; *Post*, p. 413. 42 USC 423.

"(2) The term 'disability' means—

"(A) inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or".

(b)(1) Paragraph (2) of section 216(i) of such Act is amended to read as follows: *Post*, p. 370. 42 USC 416.

"(2)(A) The term 'period of disability' means a continuous period (beginning and ending as hereinafter provided in this subsection) during which an individual was under a disability (as defined in paragraph (1)), but only if such period is of not less than 6 full calendar months' duration or such individual was entitled to benefits under section 223 for one or more months in such period. "Period of disability." 42 USC 423.

"(B) No period of disability shall begin as to any individual unless such individual files an application for a disability determination with respect to such period; and no such period shall begin as to any individual after such individual attains the age of 65.

"(C) A period of disability shall begin—

"(i) on the day the disability began, but only if the individual satisfies the requirements of paragraph (3) on such day; or

'(ii) if such individual does not satisfy the requirements of paragraph (3) on such day, then on the first day of the first quarter thereafter in which he satisfies such requirements.

"(D) A period of disability shall end with the close of whichever of the following months is the earlier: (i) the month preceding the month in which the individual attains age 65, or (ii) the second month following the month in which the disability ceases.

"(E) No application for a disability determination which is filed more than 12 months after the month prescribed by subparagraph (D) as the month in which the period of disability ends (determined without regard to subparagraph (B) and this subparagraph) shall be accepted as an application for purposes of this paragraph."

(2) Section 216(i)(3) of such Act is amended by striking out "clauses (A) and (B) of paragraph (2)" and inserting in lieu thereof "clauses (i) and (ii) of paragraph (2)(C)". 72 Stat. 1021; *Post*, p. 412.

(3) Subparagraph (D) of section 223(a)(1) of such Act is amended by striking out "at the time such application is filed,". So much of such section 223(a)(1) as follows subparagraph (D) is amended by striking out "the first month for which he is entitled to old-age insurance benefits,". 42 USC 423. *Post*, p. 413.

(4) Section 223(c)(3)(A) of such Act is amended by striking out "which continues until such application is filed". 72 Stat. 1020. 42 USC 423.

(c) Section 223(b) of such Act is amended by striking out the last sentence and inserting in lieu thereof the following: "An individual who would have been entitled to a disability insurance benefit for any month had he filed application therefor before the end of such month shall be entitled to such benefit for such month if he files such application before the end of the 12th month immediately succeeding such month."

(d) The second sentence of section 202(j)(1) of such Act is amended by inserting "under this title" after "Any benefit". 64 Stat. 487. 42 USC 402.

(e) So much of section 215(a)(4) of such Act as precedes "the amount in column IV" is amended to read as follows: 75 Stat. 135; *Post*, p. 370. 42 USC 415.

"(4) In the case of an individual who was entitled to a disability insurance benefit for the month before the month in which he died, became entitled to old-age insurance benefits, or attained age 65,".

(f)(1) The amendments made by subsection (a), paragraphs (3) and (4) of subsection (b), and subsections (c) and (d), and the provisions of subparagraphs (B) and (E) of section 216(i)(2) of the Social Security Act (as amended by subsection (b)(1) of this section), shall be effective with respect to applications for disability insurance benefits under section 223, and for disability determinations under section 216(i), of the Social Security Act filed—

Ante, p. 367.

70 Stat. 815.
42 USC 423.

(A) in or after the month in which this Act is enacted, or

(B) before the month in which this Act is enacted, if the applicant has not died before such month and if—

(i) notice of the final decision of the Secretary of Health, Education, and Welfare has not been given to the applicant before such month; or

(ii) the notice referred to in subparagraph (i) has been so given before such month but a civil action with respect to such final decision is commenced under section 205(g) of the Social Security Act (whether before, in, or after such month) and the decision in such civil action has not become final before such month;

53 Stat. 1370.
42 USC 405.

except that no monthly insurance benefits under title II of the Social Security Act shall be payable or increased by reason of the amendments made by subsections (a) and (b) for months before the second month following the month in which this Act is enacted. The preceding sentence shall also be applicable in the case of applications for monthly insurance benefits under title II of the Social Security Act based on the wages and self-employment income of an applicant with respect to whose application for disability insurance benefits under section 223 of such Act such preceding sentence is applicable.

42 USC 401.

(2) The amendment made by subsection (e) shall apply in the case of the primary insurance amounts of individuals who attain age 65 after the date of enactment of this Act.

PAYMENT OF DISABILITY INSURANCE BENEFITS AFTER ENTITLEMENT TO OTHER MONTHLY INSURANCE BENEFITS

64 Stat. 487.
42 USC 402.

SEC. 304. (a) Section 202(k) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(4) Any individual who, under this section and section 223, is entitled for any month to both an old-age insurance benefit and a disability insurance benefit under this title shall be entitled to only the larger of such benefits for such month, except that, if such individual so elects, he shall instead be entitled to only the smaller of such benefits for such month."

75 Stat. 131;
Post, p. 374.

(b) The heading of section 202(q) of such Act is amended to read as follows:

"Reduction of Old-Age, Disability, Wife's, Husband's, or Widow's Insurance Benefit Amounts"

(c) Section 202(q) of such Act is further amended by renumbering paragraphs (2), (3), (4), (5), (6), and (7) as paragraphs (3), (4), (5), (6), (7), and (8), respectively, by renumbering the cross references in such section accordingly, and by inserting after paragraph (1) the following new paragraph:

"(2) If an individual is entitled to a disability insurance benefit for a month after a month for which such individual was entitled to an old-age insurance benefit, such disability insurance benefit for each month shall be reduced by the amount such old-age insurance

benefit would be reduced under paragraphs (1) and (4) for such month had such individual attained age 65 in the first month for which he most recently became entitled to a disability insurance benefit."

(d) Subparagraph (B) of paragraph (3) (as redesignated by subsection (c) of this section) of section 202(q) of such Act is amended by—

(1) striking out "benefit," the first time it appears and inserting in lieu thereof "benefit and is not entitled to a disability insurance benefit,";

(2) striking out in clause (i) thereof "(1)," and inserting in lieu thereof "(1) for such month,"; and

(3) striking out in clause (ii) thereof "(1)" and inserting in lieu thereof "(1) for such month".

(e) Subparagraph (C) of paragraph (3) (as redesignated by subsection (c) of this section) of section 202(q) of such Act is amended to read as follows:

"(C) For any month for which such individual is entitled to a disability insurance benefit, such individual's wife's, husband's, or widow's insurance benefit shall be reduced by the sum of—

"(i) the amount by which such disability insurance benefit is reduced under paragraph (2) for such month (if such paragraph applied to such benefit), and

"(ii) the amount by which such wife's, husband's, or widow's insurance benefit would be reduced under paragraph (1) for such month if it were equal to the excess of such wife's, husband's, or widow's insurance benefit (before reduction under this subsection) over such disability insurance benefit (before reduction under this subsection)."

(f) Paragraph (3) (as redesignated by subsection (c) of this section) of section 202(q) is further amended by adding after subparagraph (E) (added by section 307(b)(4) of this Act) the following new subparagraphs: Post, p. 374.

"(F) If the first month for which an individual is entitled to a disability insurance benefit (when such first month occurs with or after the month in which such individual attains the age of 62) is a month for which such individual is also (or would, but for subsection (e)(1), be) entitled to a widow's insurance benefit to which such individual was first entitled for a month before she attained retirement age, then such disability insurance benefit for each month shall be reduced by whichever of the following is larger:

"(i) the amount by which (but for this subparagraph) such disability insurance benefit would have been reduced under paragraph (2), or

"(ii) the amount equal to the sum of the amount by which such widow's insurance benefit was reduced for the month in which such individual attained retirement age and the amount by which such disability insurance benefit would be reduced under paragraph (2) if it were equal to the excess of such disability insurance benefit (before reduction under this subsection) over such widow's insurance benefit (before reduction under this subsection).

"(G) If the first month for which an individual is entitled to a disability insurance benefit (when such first month occurs before the month in which such individual attains the age of 62) is a month for which such individual is also (or would, but for subsection (e)(1), be) entitled to a widow's insurance benefit, then such disability insurance benefit for each month shall be reduced by the amount such widow's insurance benefit would be reduced under paragraphs (1) and

(4) for such month had such individual attained age 62 in the first month for which he most recently became entitled to a disability insurance benefit."

(g) Paragraph (4) (as redesignated by subsection (c) of this section) of section 202(q) of such Act is amended by striking out in subparagraph (A) thereof "under" and inserting in lieu thereof: "under paragraph (1) or (3) of".

(h) Paragraph (7) (as redesignated by subsection (c) of this section and as amended by section 307(b)(7) of this Act) of section 202(q) of such Act is amended by adding after subparagraph (E) the following new subparagraph:

"(F) in the case of old-age insurance benefits, any month for which such individual was entitled to a disability insurance benefit."

(i) Paragraph (8) (as redesignated by subsection (c) of this section) of section 202(q) of such Act is amended by striking out "(1)" and inserting in lieu thereof "(1), (2),".

75 Stat. 133.
42 USC 402.
Ante, p. 368.

(j) Section 202(r)(2) of such Act is amended by inserting after "eligible" the following: "(but for section 202(k)(4))".

75 Stat. 135;
Ante, p. 367.
42 USC 415.

(k) Section 215(a)(4) of such Act is amended by striking out "such disability insurance benefit" and inserting in lieu thereof "the primary insurance amount upon which such disability insurance benefit is based".

42 USC 416.
Ante, p. 367.

(l) Section 216(i)(2) of such Act is amended by striking out "(subject to section 223(a)(3))".

74 Stat. 964;
Ante, p. 366.
42 USC 423.

(m) Section 223(a)(2) of such Act is amended by striking out the word "Such" and inserting in lieu thereof "Except as provided in section 202(q), such".

(n) Section 223(a)(3) of such Act is repealed.

42 USC 401.

(o) The amendments made by this section shall apply with respect to monthly insurance benefits under title II of the Social Security Act for and after the second month following the month in which this Act is enacted, but only on the basis of applications filed in or after the month in which this Act is enacted.

DISABILITY INSURANCE TRUST FUND

70 Stat. 820.
42 USC 401.

SEC. 305. (a) Section 201(b)(1) of the Social Security Act is amended by inserting "and before January 1, 1966," after "December 31, 1956,", and by inserting after "1954," the following: "and 0.70 of 1 per centum of the wages (as so defined) paid after December 31, 1965, and so reported,".

(b) Section 201(b)(2) of such Act is amended by inserting after "December 31, 1956," the following: "and before January 1, 1966, and 0.525 of 1 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1965,".

PAYMENT OF CHILD'S INSURANCE BENEFITS AFTER ATTAINMENT OF AGE 18 IN CASE OF CHILD ATTENDING SCHOOL

72 Stat. 1022.
42 USC 402.

SEC. 306. (a) Section 202(d)(1)(B) of the Social Security Act is amended to read as follows:

"(B) at the time such application was filed was unmarried and (i) either had not attained the age of 18 or was a full-time student and had not attained the age of 22, or (ii) is under a disability (as defined in section 223(c)) which began before he attained the age of 18, and".

70 Stat. 815.
Ante, p. 367.

(b)(1) So much of the first sentence of section 202(d)(1) of such Act as follows subparagraph (C) is amended to read as follows: "shall be entitled to a child's insurance benefit for each month, beginning with the first month after August 1950 in which such child becomes so entitled to such insurance benefits and ending with the month preceding whichever of the following first occurs—

72 Stat. 1022; *Post*, p. 397. 42 USC 402.

"(D) the month in which such child dies, marries, or is adopted (except for adoption by a stepparent, grandparent, aunt, or uncle subsequent to the death of such fully or currently insured individual),

"(E) the month in which such child attains the age of 18, but only if he (i) is not under a disability (as so defined) at the time he attains such age, and (ii) is not a full-time student during any part of such month,

"(F) if such child was not under a disability (as so defined) at the time he attained the age of 18, the earlier of—

"(i) the first month during no part of which he is a full-time student, or

"(ii) the month in which he attains the age of 22, or

"(G) if such child was under a disability (as so defined) at the time he attained the age of 18, the third month following the month in which he ceases to be under such disability or (if later) the earlier of—

"(i) the first month during no part of which he is a full-time student, or

"(ii) the month in which he attains the age of 22."

(2) The second sentence of section 202(d)(1) of such Act is repealed.

(3) Section 202(d) of such Act is further amended by adding at the end thereof the following new paragraphs:

"(7) A child whose entitlement to child's insurance benefits on the basis of the wages and self-employment income of an insured individual terminated with the month preceding the month in which such child attained the age of 18, or with a subsequent month, may again become entitled to such benefits (provided no event specified in paragraph (1)(D) has occurred) beginning with the first month thereafter in which he is a full-time student and has not attained the age of 22 if he has filed application for such reentitlement. Such reentitlement shall end with the month preceding whichever of the following first occurs: The first month during no part of which he is a full-time student, the month in which he attains the age of 22, or the first month in which an event specified in paragraph (1)(D) occurs.

"(8) For the purposes of this subsection—

"Full-time student."

"(A) A 'full-time student' is an individual who is in full-time attendance as a student at an educational institution, as determined by the Secretary (in accordance with regulations prescribed by him) in the light of the standards and practices of the institutions involved, except that no individual shall be considered a 'full-time student' if he is paid by his employer while attending an educational institution at the request, or pursuant to a requirement, of his employer.

"(B) Except to the extent provided in such regulations, an individual shall be deemed to be a full-time student during any period of nonattendance at an educational institution at which he has been in full-time attendance if (i) such period is 4 calendar months or less, and (ii) he shows to the satisfaction of the Secretary that he intends to continue to be in full-time attendance at an educational institution immediately following such period. An

individual who does not meet the requirement of clause (ii) with respect to such period of nonattendance shall be deemed to have met such requirement (as of the beginning of such period) if he is in full-time attendance at an educational institution immediately following such period.

"Educational institution."

"(C) An 'educational institution' 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 approved by a State or accredited by a State-recognized or nationally-recognized accrediting agency or body, or (iii) a non-accredited school or college or university 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."

42 USC 402.

(c)(1) Section 202 of such Act is amended by inserting immediately after subsection (r) the following new subsection:

"Child Aged 18 or Over Attending School

42 USC 403.

"(s)(1) For the purposes of subsections (b)(1), (g)(1), (q)(5), and (q)(7) of this section and paragraphs (2), (3), and (4) of section 203(c), a child who is entitled to child's insurance benefits under subsection (d) for any month, and who has attained the age of 18 but is not in such month under a disability (as defined in section 223(c)) which began before he attained such age, shall be deemed not entitled to such benefits for such month, unless he was under such a disability in the third month before such month.

"(2) Subsection (f)(4), and so much of subsections (b)(3), (d)(6), (e)(3), (g)(3), and (h)(4) of this section as precedes the semicolon, shall not apply in the case of any child unless such child, at the time of the marriage referred to therein, was under a disability (as defined in section 223(c)) which began before such child attained the age of 18 or had been under such a disability in the third month before the month in which such marriage occurred.

Ante, p. 367.
42 USC 423.

"(3) Subsections (c)(2)(B) and (f)(2)(B) of this section, so much of subsections (b)(3), (d)(6), (e)(3), (g)(3), and (h)(4) of this section as follows the semicolon, the last sentence of subsection (c) of section 203, subsection (f)(1)(C) of section 203, and subsections (b)(3)(B), (c)(6)(B), (f)(3)(B), and (g)(6)(B) of section 216 shall not apply in the case of any child with respect to any month referred to therein unless in such month or the third month prior thereto such child was under a disability (as defined in section 223(c)) which began before such child attained the age of 18."

74 Stat. 954, 955; *Post*, p. 373.
42 USC 403.
72 Stat. 1026-1028.
42 USC 416.

72 Stat. 1026; *Post*, p. 405.
42 USC 402.

(2) So much of subsection (c)(2) of such section 202 as precedes subparagraph (A) is amended by inserting "(subject to subsection (s))" after "shall".

(3) So much of subsection (d)(6) of such section 202 as follows subparagraph (B) is amended by inserting "but subject to subsection (s)" after "notwithstanding the provisions of paragraph (1)".

(4) So much of subsection (e)(3) of such section 202 as follows subparagraph (B) is amended by inserting "but subject to subsection (s)" after "notwithstanding the provisions of paragraph (1)".

(5) So much of subsection (f)(2) of such section 202 as precedes subparagraph (A) is amended by inserting "(subject to subsection (s))" after "shall".

(6) So much of subsection (f)(4) of such section 202 as follows subparagraph (B) is amended by inserting "but subject to subsection (s)" after "notwithstanding the provisions of paragraph (1)".

(7) So much of the first sentence of subsection (g)(1) of such section 202 as follows subparagraph (F) is amended by inserting "(subject to subsection (s))" after "shall". 64 Stat. 486; Post, p. 378. 42 USC 402.

(8) So much of subsection (g)(3) of such section 202 as follows subparagraph (B) is amended by inserting "but subject to subsection (s)" after "notwithstanding the provisions of paragraph (1)".

(9) So much of subsection (h)(4) of such section 202 as follows subparagraph (B) is amended by inserting "but subject to subsection (s)" after "notwithstanding the provisions of paragraph (1)". 72 Stat. 1032.

(10) The next to last sentence of subsection (c) of section 203 of such Act is amended by striking out "for any month in which" and inserting in lieu thereof "for any month in which paragraph (1) of section 202(s) applies or". 42 USC 403.

(11) The last sentence of subsection (c) of such section 203 is amended by striking out "No" and inserting in lieu thereof "Subject to paragraph (3) of such section 202(s), no". Ante, p. 372.

(12) The last sentence of subsection (f)(1) of such section 203 is amended by inserting "but subject to section 202(s)" after "Notwithstanding the preceding provisions of this paragraph".

(13) Subsections (b), (c), (f), and (g) of section 216 of such Act are each amended by inserting before the period at the end thereof "(subject, however, to section 202(s))". Post, pp. 404, 405. 42 USC 416.

(14) Section 222(b) of such Act is amended by adding at the end thereof the following new paragraph: 42 USC 422.

"(4) The provisions of paragraph (1) shall not apply to any child entitled to benefits under section 202(d), if he has attained the age of 18 but has not attained the age of 22, for any month during which he is a full-time student (as defined and determined under section 202(d))." Ante, pp. 370, 371. 42 USC 402.

(15) Section 225 of such Act is amended by adding at the end thereof the following new sentence: "The first sentence of this section shall not apply to any child entitled to benefits under section 202(d), if he has attained the age of 18 but has not attained the age of 22, for any month during which he is a full-time student (as defined and determined under section 202(d))." 70 Stat. 817. 42 USC 425.

(d) The amendments made by this section shall apply with respect to monthly insurance benefits under section 202 of the Social Security Act for months after December 1964; except that— 64 Stat. 482. 42 USC 402.

(1) in the case of an individual who was not entitled to a child's insurance benefit under subsection (d) of such section 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, and

(2) no monthly insurance benefit shall be payable for any month before the second month following the month in which this Act is enacted by reason of section 202(d)(1)(B)(ii) of the Social Security Act as amended by this section. Ante, p. 370.

REDUCED BENEFITS FOR WIDOWS AT AGE 60

SEC. 307. (a)(1) Paragraph (1)(B) of section 202(e) of the Social Security Act (as amended by section 308(b) of this Act) is amended by striking out "age 62" and inserting in lieu thereof "age 60". Post, p. 376.

(2) Paragraph (2) of such section (as so amended) is amended by striking out "Such" and inserting in lieu thereof "Except as provided in subsection (q), such".

75 Stat. 131.
42 USC 402.

(b)(1) Paragraph (1) of section 202(q) of such Act is amended to read as follows:

"(1) If the first month for which an individual is entitled to an old-age, wife's, husband's, or widow's insurance benefit is a month before the month in which such individual attains retirement age, the amount of such benefit for each month shall, subject to the succeeding paragraphs of this subsection, be reduced by—

"(a) 5/9 of 1 percent of such amount if such benefit is an old-age or widow's insurance benefit, or 25/36 of 1 percent of such amount if such benefit is a wife's or husband's insurance benefit, multiplied by

"(B)(i) the number of months in the reduction period for such benefit (determined under paragraph (6)), if such benefit is for a month before the month in which such individual attains retirement age, or

"(ii) the number of months in the adjusted reduction period for such benefit (determined under paragraph (7)), if such benefit is for the month in which such individual attains retirement age or for any month thereafter."

Ante, p. 368.

(2) Paragraph (3)(A) (as renumbered by section 304(c) of this Act) of such section is amended—

(A) by striking out "wife's or husband's insurance benefit" each place it appears and inserting in lieu thereof "wife's, husband's, or widow's insurance benefit"; and

(B) by striking out "age 62" and inserting in lieu thereof "age 62 (in the case of a wife's or husband's insurance benefit) or age 60 (in the case of a widow's insurance benefit)".

(3) Paragraph (3)(D) (as so renumbered) of such section is amended by striking out "wife's or husband's" and inserting in lieu thereof "wife's, husband's, or widow's".

(4) Paragraph (3) (as so renumbered) of such section is amended by adding at the end thereof the following new subparagraph:

"(E) If the first month for which an individual is entitled to an old-age insurance benefit (whether such first month occurs before, with, or after the month in which such individual attains the age of 65) is a month for which such individual is also (or would, but for subsection (e)(1), be) entitled to a widow's insurance benefit to which such individual was first entitled for a month before she attained retirement age, then such old-age insurance benefit shall be reduced by whichever of the following is the larger:

"(i) the amount by which (but for this subparagraph) such old-age insurance benefit would have been reduced under paragraph (1), or

"(ii) the amount equal to the sum of the amount by which such widow's insurance benefit was reduced for the month in which such individual attained retirement age and the amount by which such old-age insurance benefit would be reduced under paragraph (1) if it were equal to the excess of such old-age insurance benefit (before reduction under this subsection) over such widow's insurance benefit (before reduction under this subsection)."

(5) Paragraph (5) (as so renumbered) of such section is amended by adding at the end thereof the following new subparagraph:

"(D) No widow's insurance benefit for a month in which she has in her care a child of her deceased husband (or deceased former husband) entitled to child's insurance benefits shall be reduced under this subsection below the amount to which she would have been

entitled had she been entitled for such month to mother's insurance benefits on the basis of her deceased husband's (or deceased former husband's) wages and self-employment income."

(6) Paragraph (6) (as so renumbered) of such section is amended—

(A) by striking out "wife's, or husband's" and inserting in lieu thereof "wife's, husband's, or widow's";

(B) by striking out "or husband's" in subparagraph (A)(i) and inserting in lieu thereof ", husband's, or widow's"; and

(C) by striking out "age 65" in subparagraph (B) and inserting in lieu thereof "retirement age".

(7) Paragraph (7) (as so renumbered) of such section is amended—

(A) by striking out "wife's, or husband's" and inserting in lieu thereof "wife's, husband's, or widow's"; and

(B) 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 a comma, and by adding at the end thereof the following new subparagraphs:

"(D) in the case of widow's insurance benefits, any month in which the reduction in the amount of such benefit was determined under paragraph (5)(D),

"(E) in the case of widow's insurance benefits, any month before the month in which she attained retirement age for which she was not entitled to such benefit because of the occurrence of an event that terminated her entitlement to such benefits, and".

(8) Section 202(q) of such Act (as amended by section 304(c) of this Act) is further amended by adding at the end thereof the following new paragraph: *Ante*, p. 368.

"(9) For purposes of this subsection, the term 'retirement age' means age 65 with respect to an old-age, wife's, or husband's insurance benefit and age 62 with respect to a widow's insurance benefit."

(c) The amendments made by this section shall apply with respect to monthly insurance benefits under section 202 of the Social Security Act for and after the second month following the month in which this Act is enacted, but only on the basis of applications filed in or after the month in which this Act is enacted. 64 Stat. 482. 42 USC 402.

WIFE'S AND WIDOW'S BENEFITS FOR DIVORCED WOMEN

SEC. 308. (a) Section 202(b) of the Social Security Act is amended to read as follows:

"Wife's Insurance Benefits

"(b)(1) The wife (as defined in section 216(b)) and every divorced wife (as defined in section 216(d)) of an individual entitled to old-age or disability insurance benefits, if such wife or such divorced wife— *Post*, p. 377. 42 USC 416.

"(A) has filed application for wife's insurance benefits,

"(B) has attained age 62 or (in the case of a wife) has in her care (individually or jointly with such individual) at the time of filing such application a child entitled to a child's insurance benefit on the basis of the wages and self-employment income of such individual,

"(C) in the case of a divorced wife, is not married,

"(D) in the case of a divorced wife, was receiving at least one-half of her support, as determined in accordance with regulations prescribed by the Secretary, from such individual, or was receiving substantial contributions from such individual (pursuant to a written agreement) or there was in effect a court order for substantial contributions to her support from such individual—

"(i) if he had a period of disability which did not end before the month in which he became entitled to old-age or disability insurance benefits, at the beginning of such period or at the time he became entitled to such benefits, or

"(ii) if he did not have such a period of disability, at the time he became entitled to old-age insurance benefits, and

"(E) is not entitled to old-age or disability insurance benefits, or is entitled to old-age or disability insurance benefits based on a primary insurance amount which is less than one-half of the primary insurance amount of such individual,

shall (subject to subsection (s)) be entitled to a wife's insurance benefit for each month, beginning with the first month in which she becomes so entitled to such insurance benefits and ending with the month preceding the first month in which any of the following occurs—

"(F) she dies,

"(G) such individual dies,

"(H) in the case of a wife, they are divorced and either (i) she has not attained age 62, or (ii) she has attained age 62 but has not been married to such individual for a period of 20 years immediately before the date the divorce became effective,

"(I) in the case of a divorced wife, she marries a person other than such individual,

"(J) in the case of a wife who has not attained age 62, no child of such individual is entitled to a child's insurance benefit,

"(K) she becomes entitled to an old-age or disability insurance benefit based on a primary insurance amount which is equal to or exceeds one-half of the primary insurance amount of such individual, or

"(L) such individual is not entitled to disability insurance benefits and is not entitled to old-age insurance benefits.

"(2) Except as provided in subsection (q), such wife's insurance benefit for each month shall be equal to one-half of the primary insurance amount of her husband (or, in the case of a divorced wife, her former husband) for such month.

"(3) In the case of any divorced wife who marries—

"(A) an individual entitled to benefits under subsection (f) or (h) of this section, or

"(B) an individual who has attained the age of 18 and is entitled to benefits under subsection (d),

such divorced wife's entitlement to benefits under this subsection shall, notwithstanding the provisions of paragraph (1) (but subject to subsection (s)), not be terminated by reason of such marriage; except that, in the case of such a marriage to an individual entitled to benefits under subsection (d), the preceding provisions of this paragraph shall not apply with respect to benefits for months after the last month for which such individual is entitled to such benefits under subsection (d) unless he ceases to be so entitled by reason of his death."

42 USC 402.

(b)(1) Paragraphs (1) and (2) of section 202(e) of such Act are amended to read as follows:

"(1) The widow (as defined in section 216(c)) and every surviving divorced wife (as defined in section 216(d)) of an individual who died a fully insured individual, if such widow or such surviving divorced wife—

Post, p. 377.

"(A) is not married,

"(B) has attained age 62,

"(C) (i) has filed application for widow's insurance benefits, or was entitled, after attainment of age 62, to wife's insurance benefits, on the basis of the wages and self-employment income of such individual, for the month preceding the month in which he died, or

"(ii) was entitled, on the basis of such wages and self-employment income, to mother's insurance benefits for the month preceding the month in which she attained age 62,

"(D) in the case of a surviving divorced wife who was not entitled to wife's insurance benefits on the basis of the wages and self-employment income of such individual for the month preceding the month in which he died, was receiving at least one-half of her support, as determined in accordance with regulations prescribed by the Secretary, from such individual, or was receiving substantial contributions from such individual (pursuant to a written agreement) or there was in effect a court order for substantial contributions to her support from such individual—

"(i) at the time of his death (or, if such individual had a period of disability which did not end prior to the month in which he died, at the time such period began or at the time of his death), or

"(ii) at the time he became entitled to old-age insurance benefits or disability insurance benefits (or, if such individual had a period of disability which did not end before the month in which he became entitled to such benefits, at the time such period began or at the time he became entitled to such benefits), and

"(E) is not entitled to old-age insurance benefits or is entitled to old-age insurance benefits each of which is less than 82½ percent of the primary insurance amount of such deceased individual,

shall be entitled to a widow's insurance benefit for each month, beginning with the first month in which she becomes so entitled to such insurance benefits and ending with the month preceding the first month in which any of the following occurs: she remarries, dies, or becomes entitled to an old-age insurance benefit equal to or exceeding 82½ percent of the primary insurance amount of such deceased individual.

"(2) Such widow's insurance benefit for each month shall be equal to 82½ percent of the primary insurance amount of such deceased individual."

(2) Paragraph (3) of section 202(e) of such Act is repealed. 42 USC 402.

(3) Section 202(e) of such Act is amended by redesignating paragraph (4) as paragraph (3) and such paragraph is further amended by striking out "widow" and inserting in lieu thereof "widow or surviving divorced wife" and by striking out "widow's" and inserting in lieu thereof "widow's or surviving divorced wife's".

(c) Section 216(d) of such Act is amended to read as follows: 72 Stat. 1028. 42 USC 416.

"Divorced Wives; Divorce

"(d) (1) The term 'divorced wife' means a woman divorced from an individual, but only if she had been married to such individual for a period of 20 years immediately before the date the divorce became effective.

"(2) The term 'surviving divorced wife' means a woman divorced from an individual who has died, but only if she had been married to the individual for a period of 20 years immediately before the date the divorce became effective.

"(3) The term 'surviving divorced mother' means a woman divorced from an individual who has died, but only if (A) she is the mother of his son or daughter, (B) she legally adopted his son or daughter while she was married to him and while such son or daughter was under the age of 18, (C) he legally adopted her son or daughter while she was married to him and while such son or daughter was under the age of 18, or (D) she was married to him at the time both of them legally adopted a child under the age of 18.

"(4) The terms 'divorce' and 'divorced' refer to a divorce a vinculo matrimonii."

64 Stat. 483. 42 USC 402.

(d)(1) Section 202(c)(1) of such Act is amended by striking out "divorced a vinculo matrimonii," and inserting in lieu thereof "divorced,".

72 Stat. 1030-1032.

(2)(A) Subsections (d)(6)(A), (f)(4)(A), and (h)(4)(A) of section 202 of such Act are each amended by inserting "(b)," before "(e),".

64 Stat. 510; 72 Stat. 1027. 42 USC 416.

(B) Subsections (b) and (c) of section 216 of such Act are each amended by striking out "(e) or" and inserting in lieu thereof "(b), (e), or".

Ante, p. 373. 42 USC 402.

(3) Subparagraph (A) of section 202(g)(1) of such Act is amended by striking out "has not remarried" and inserting in lieu thereof "is not married".

(4) Subparagraph (F) of section 202(g)(1) of such Act is amended to read as follows:

"(F) in the case of a surviving divorced mother—

"(i) at the time of such individual's death (or, if such individual had a period of disability which did not end before the month in which he died, at the time such period began or at the time of such death)—

"(I) she was receiving at least one-half of her support, as determined in accordance with regulations prescribed by the Secretary, from such individual, or

"(II) she was receiving substantial contributions from such individual (pursuant to a written agreement), or

"(III) there was a court order for substantial contributions to her support from such individual,

"(ii) the child referred to in subparagraph (E) is her son, daughter, or legally adopted child, and

"(iii) the benefits referred to in such subparagraph are payable on the basis of such individual's wages and self-employment income,".

(5) Section 202(g) of such Act is further amended by striking out "former wife divorced" each place it appears and inserting in lieu thereof "surviving divorced mother".

Ante, p. 363.

(6) Section 203(a) of such Act (as amended by section 301(c) of this Act) is amended by striking out the period at the end of the first sentence and inserting in lieu thereof ", or" and by adding the following new paragraph:

"(3) when any of such individuals is entitled to monthly benefits as a divorced wife under section 202(b) or as a surviving divorced wife under section 202(e) for any month, the benefit to which she is entitled on the basis of the wages and self-employment income of such insured individual for such month shall be determined without regard to this subsection, and the benefits of all other individuals who are entitled for such month to monthly benefits under section 202 on the wages and self-

employment income of such insured individual shall be determined as if no such divorced wife or surviving divorced wife were entitled to benefits for such month."

(7) Section 203(c)(4) of such Act is amended by striking out "former wife divorced" and inserting in lieu thereof "surviving divorced mother". 42 USC 403.

(8) Section 203(d)(1) of such Act is amended by striking out "wife," and inserting in lieu thereof "wife, divorced wife,".

(9) The second sentence of section 205(b) of such Act is amended by striking out "wife, widow, former wife divorced," and inserting in lieu thereof "wife, divorced wife, widow, surviving divorced wife, surviving divorced mother,".

(10) Section 205(c)(1)(C) of such Act is amended by striking out "former wife divorced," and inserting in lieu thereof "surviving divorced wife, surviving divorced mother,". 42 USC 405.

(11) Section 222(b)(3) of such Act is amended by inserting "divorced wife," after "wife,". 42 USC 422.

(12) Paragraph (3) of section 202(g) of such Act is repealed. Repeal. 42 USC 402.

(13) Section 202(g) of such Act is amended by redesignating paragraph (4) as paragraph (3).

(e) The amendments made by this section shall be applicable with respect to monthly insurance benefits under title II of the Social Security Act beginning with the second month following the month in which this Act is enacted; but, in the case of an individual who was not entitled to a monthly insurance benefit under section 202 of such Act for the first month following the month in which this Act is enacted, only on the basis of an application filed in or after the month in which this Act is enacted. 42 USC 401.

TRANSITIONAL INSURED STATUS

SEC. 309. (a) Title II of the Social Security Act is further amended by adding at the end thereof (after the new section 226 added by section 101 of this Act) the following new section: *Ante*, p. 290.

"TRANSITIONAL INSURED STATUS

"SEC. 227. (a) In the case of any individual who attains the age of 72 before 1969 but who does not meet the requirements of section 214(a), the 6 quarters of coverage referred to in so much of paragraph (1) of section 214(a) as follows clause (C) shall, instead, be 3 quarters of coverage for purposes of determining entitlement of such individual to benefits under section 202(a), and of his wife to benefits under section 202(b), but, in the case of such wife, only if she attains the age of 72 before 1969 and only with respect to wife's insurance benefits under section 202(b) for and after the month in which she attains such age. For each month before the month in which any such individual meets the requirements of section 214(a), the amount of his old-age insurance benefit shall, notwithstanding the provisions of section 202(a), be $35 and the amount of the wife's insurance benefit of his wife shall, notwithstanding the provisions of section 202(b), be $17.50. 75 Stat. 137. 42 USC 414. 42 USC 402. *Ante*, p. 375.

"(b) In the case of any individual who has died, who does not meet the requirements of section 214(a), and whose widow attains age 72 before 1969, the 6 quarters of coverage referred to in paragraph (3) of section 214(a) and in so much of paragraph (1) thereof as follows clause (C) shall, for purposes of determining her entitle-

Ante, pp. 376, 377.
42 USC 402.

ment to widow's insurance benefits under section 202(e), instead be—

"(1) 3 quarters of coverage if such widow attains the age of 72 in or before 1966,

"(2) 4 quarters of coverage if such widow attains the age of 72 in 1967, or

"(3) 5 quarters of coverage if such widow attains the age of 72 in 1968.

The amount of her widow's insurance benefit for each month shall, notwithstanding the provisions of section 202(e) (and section 202 (m)), be $35.

68 Stat. 1073.
42 USC 402.

"(c) In the case of any individual who becomes, or upon filing application therefor would become, entitled to benefits under section 202(a) by reason of the application of subsection (a) of this section, who dies, and whose widow attains the age of 72 before 1969, such deceased individual shall be deemed to meet the requirements of subsection (b) of this section for purposes of determining entitlement of such widow to widow's insurance benefits under section 202(e)."

(b) The amendment made by subsection (a) shall apply in the case of monthly benefits under title II of the Social Security Act for and after the second month following the month in which this Act is enacted on the basis of applications filed in or after the month in which this Act is enacted.

INCREASE IN AMOUNT AN INDIVIDUAL IS PERMITTED TO EARN WITHOUT SUFFERING FULL DEDUCTIONS FROM BENEFITS

42 USC 403.

SEC. 310. (a)(1) Paragraphs (1), (3), and (4)(B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out "$100" wherever it appears therein and inserting in lieu thereof "$125".

(2) The first sentence of paragraph (3) of such subsection (f) is amended by striking out "$500" each place it appears therein and inserting in lieu thereof "$1,200".

(3) Paragraph (1)(A) of subsection (h) of section 203 of such Act is amended by striking out "$100" and inserting in lieu thereof "$125".

(b) The amendments made by subsection (a) shall apply with respect to taxable years ending after December 31, 1965.

COVERAGE FOR DOCTORS OF MEDICINE

42 USC 411.

SEC. 311. (a)(1) Section 211(c)(5) of the Social Security Act is amended to read as follows:

"(5) The performance of service by an individual in the exercise of his profession as a Christian Science practitioner."

(2) Section 211(c) of such Act is further amended by striking out the last two sentences and inserting in lieu thereof the following: "The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under section 1402(e) of the Internal Revenue Code of 1954 is in effect."

Post, p. 381.

68 Stat. 1053.
42 USC 410.

(3) Section 210(a)(6)(C)(iv) of such Act is amended by inserting before the semicolon at the end thereof the following: ", other than as a medical or dental intern or a medical or dental resident in training".

(4) Section 210(a)(13) of such Act is amended by striking out all that follows the first semicolon. 64 Stat. 497; 68 Stat. 1052. 42 USC 410.

(b)(1) Section 1402(c)(5) of the Internal Revenue Code of 1954 (relating to definition of trade or business) is amended to read as follows: 70 Stat. 841. 26 USC 1402.

"(5) the performance of service by an individual in the exercise of his profession as a Christian Science practitioner."

(2) Section 1402(c) of such Code is further amended by striking out the last two sentences and inserting in lieu thereof the following: "The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under subsection (e) is in effect." 68 Stat. 1088.

(3)(A) Section 1402(e)(1) of such Code (relating to filing of waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out "extended to service" and all that follows and inserting in lieu thereof "extended to service described in subsection (c)(4) or (c)(5) performed by him."

(B) Clause (A) of section 1402(e)(2) of such Code (relating to time for filing waiver certificate) is amended to read as follows: "(A) the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to subsections (c)(4) and (c)(5)) of $400 or more, any part of which was derived from the performance of service described in subsection (c)(4) or (c)(5); or".

(4) Section 3121(b)(6)(C)(iv) of such Code (relating to definition of employment) is amended by inserting before the semicolon at the end thereof the following: ", other than as a medical or dental intern or a medical or dental resident in training". 68 Stat. 1092. 26 USC 3121.

(5) Section 3121(b)(13) of such Code is amended by striking out all that follows the first semicolon. 68A Stat. 422; 68 Stat. 1091.

(c) The amendments made by paragraphs (1) and (2) of subsection (a), and by paragraphs (1), (2), and (3) of subsection (b), shall apply only with respect to taxable years ending on or after December 31, 1965. The amendments made by paragraphs (3) and (4) of subsection (a), and by paragraphs (4) and (5) of subsection (b), shall apply only with respect to services performed after 1965.

GROSS INCOME OF FARMERS

SEC. 312. (a) The second sentence following paragraph (8) in section 211(a) of the Social Security Act is amended by striking out "$1,800" each place it appears and inserting in lieu thereof "$2,400", and by striking out "$1,200" each place it appears and inserting in lieu thereof "$1,600". 42 USC 411.

(b) The second sentence following paragraph (9) in section 1402(a) of the Internal Revenue Code of 1954 (relating to net earnings from self-employment) is amended by striking out "$1,800" each place it appears and inserting in lieu thereof "$2,400", and by striking out "$1,200" each place it appears and inserting in lieu thereof "$1,600".

(c) The amendments made by this section shall apply only with respect to taxable years beginning after December 31, 1965.

COVERAGE OF TIPS

64 Stat. 492; 78 Stat. 1077. 42 USC 409.

SEC. 313. (a)(1) Section 209 of the Social Security Act is amended by striking out "or" at the end of subsection (j), by striking out the period at the end of subsection (k) and inserting in lieu thereof "; or", and by adding immediately after subsection (k) the following new subsection:

"(l)(1) Tips paid in any medium other than cash;

"(2) Cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is $20 or more."

(2) Section 209 of such Act is further amended by adding at the end thereof the following new paragraph:

"For purposes of this title, tips received by an employee in the course of his employment shall be considered remuneration for employment. Such remuneration shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) of the Internal Revenue Code of 1954 or (if no statement including such tips is so furnished) at the time received."

Post, p. 384.

68A Stat. 152. 26 USC 451.

(b) Section 451 of the Internal Revenue Code of 1954 (relating to general rule for taxable year of inclusion) is amended by adding at the end thereof the following new subsection:

"(c) SPECIAL RULE FOR EMPLOYEE TIPS.—For purposes of subsection (a), tips included in a written statement furnished an employer by an employee pursuant to section 6053(a) shall be deemed to be received at the time the written statement including such tips is furnished to the employer."

26 USC 3102.

(c)(1) Section 3102 of such Code (relating to deduction of tax from wages) is amended by adding at the end thereof the following new subsection:

"(c) SPECIAL RULE FOR TIPS.—

"(1) In the case of tips which constitute wages, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053(a), and only to the extent that collection can be made by the employer, at or after the time such statement is so furnished and before the close of the 10th day following the calendar month (or, if paragraph (3) applies, the 30th day following the quarter) in which the tips were deemed paid, by deducting the amount of the tax from such wages of the employee (excluding tips, but including funds turned over by the employee to the employer pursuant to paragraph (2)) as are under control of the employer.

Post, p. 395.

"(2) If the tax imposed by section 3101, with respect to tips which are included in written statements furnished in any month to the employer pursuant to section 6053(a), exceeds the wages of the employee (excluding tips) from which the employer is required to collect the tax under paragraph (1), the employee may furnish to the employer on or before the 10th day of the following month (or, if paragraph (3) applies, on or before the 30th day of the following quarter) an amount of money equal to the amount of the excess.

"(3) The Secretary or his delegate may, under regulations prescribed by him, authorize employers—

"(A) to estimate the amount of tips that will be reported by the employee pursuant to section 6053(a) in any quarter of the calendar year,

"(B) to determine the amount to be deducted upon each payment of wages (exclusive of tips) during such quarter as if the tips so estimated constituted the actual tips so reported, and

"(C) to deduct upon any payment of wages (other than tips, but including funds turned over by the employee to the employer pursuant to paragraph (2)) to such employee during such quarter (and within 30 days thereafter) such amount as may be necessary to adjust the amount actually deducted upon such wages of the employee during the quarter to the amount required to be deducted in respect of tips included in written statements furnished to the employer during the quarter.

"(4) If the tax imposed by section 3101 with respect to tips which constitute wages exceeds the portion of such tax which can be collected by the employer from the wages of the employee pursuant to paragraph (1) or paragraph (3), such excess shall be paid by the employee."

Post, p. 395.

(2) The second sentence of section 3102(a) of such Code is amended by inserting before the period at the end thereof the following: "; and an employer who is furnished by an employee a written statement of tips (received in a calendar month) pursuant to section 6053(a) to which paragraph (12)(B) of section 3121(a) is applicable may deduct an amount equivalent to such tax with respect to such tips from any wages of the employee (exclusive of tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than $20".

68A Stat. 415; 68 Stat. 1093. 26 USC 3102.

Post, p. 384. 26 USC 3121.

(3) Section 3121(a) of such Code (relating to definition of wages under the Federal Insurance Contributions Act) is amended by striking out "or" at the end of paragraph (10), by striking out the period at the end of paragraph (11) and inserting in lieu thereof "; or", and by adding after paragraph (11) the following new paragraph:

"(12)(A) tips paid in any medium other than cash;

"(B) cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is $20 or more."

(4) Section 3121 of such Code is further amended by adding at the end thereof the following new subsection:

"(q) TIPS INCLUDED FOR EMPLOYEE TAXES.—For purposes of this chapter other than for purposes of the taxes imposed by section 3111, tips received by an employee in the course of his employment shall be considered remuneration for employment. Such remuneration shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) or (if no statement including such tips is so furnished) at the time received."

Post, p. 396.

(d)(1) Section 3401 of such Code (relating to definitions for purposes of collecting income tax at source on wages) is amended by adding at the end thereof the following new subsection:

68A Stat. 455. 26 USC 3401.

"(f) TIPS.—For purposes of subsection (a), the term 'wages' includes tips received by an employee in the course of his employment. Such wages shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) or (if no statement including such tips is so furnished) at the time received."

"Wages."

69 Stat. 616; 75 Stat. 625; 78 Stat. 36, 52. 26 USC 3401.

(2) Section 3401(a) of such Code (relating to definition of wages for purposes of collecting income tax at source) is amended by striking out ", or" at the end of paragraph (6) and inserting in lieu thereof "; or", by striking out the period at the end of paragraph (12) and inserting in lieu thereof "; or", by striking out the period at the end of paragraph (15) and inserting in lieu thereof "; or", and by adding after paragraph (15) the following new paragraph:

"(16)(A) as tips in any medium other than cash;

"(B) as cash tips to an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is $20 or more."

68A Stat. 457; 69 Stat. 605. 26 USC 3402.

(3) Subsection (a) of section 3402 of such Code (relating to income tax collected at source) is amended by striking out "subsection (j)" and inserting in lieu thereof "subsections (j) and (k)".

(4) Section 3402(h)(3) of such Code (relating to income tax withholding on basis of average wages) is amended by inserting after "quarter" the first place it appears the following: "(and, in the case of tips referred to in subsection (k), within 30 days thereafter)".

(5) Section 3402 of such Code is further amended by adding at the end thereof the following new subsection:

Infra.

"(k) TIPS.—In the case of tips which constitute wages, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053(a), and only to the extent that the tax can be deducted and withheld by the employer, at or after the time such statement is so furnished and before the close of the calendar year in which such statement is furnished, from such wages of the employee (excluding tips, but including funds turned over by the employee to the employer for the purpose of such deduction and withholding) as are under the control of the employer; and an employer who is furnished by an employee a written statement of tips (received in a calendar month) pursuant to section 6053(a) to which paragraph (16)(B) of section 3401(a) is applicable may deduct and withhold the tax with respect to such tips from any wages of the employee (excluding tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than $20. Such tax shall not at any time be deducted and withheld in an amount which exceeds the aggregate of such wages and funds (including funds turned over under section 3102(c)(2)) minus any tax required by section 3102(a) to be collected from such wages and funds."

Ante, p. 382.

Ante, p. 383.

68A Stat. 747. 26 USC 6051.

(e)(1) Section 6051(a) of such Code (relating to receipts for employees) is amended by adding at the end thereof the following new sentence: "In the case of tips received by an employee in the course of his employment, the amounts required to be shown by paragraphs (3) and (5) shall include only such tips as are included in statements furnished to the employer pursuant to section 6053(a)."

(2)(A) Subpart C of part III of subchapter A of chapter 61 of such Code (relating to information regarding wages paid employees) is amended by adding at the end thereof the following new section:

"SEC. 6053. REPORTING OF TIPS.

"(a) REPORTS BY EMPLOYEES.—Every employee who, in the course of his employment by an employer, receives in any calendar month tips which are wages (as defined in section 3121(a) or section 3401(a)) shall report all such tips in one or more written statements furnished to his employer on or before the 10th day following such month. Such

26 USC 3121, 3401.

statements shall be furnished by the employee under such regulations, at such other times before such 10th day, and in such form and manner, as may be prescribed by the Secretary or his delegate.

"(b) STATEMENTS FURNISHED BY EMPLOYERS.—If the tax imposed by section 3101 with respect to tips reported by an employee pursuant to subsection (a) exceeds the tax which can be collected by the employer pursuant to section 3102, the employer shall furnish to the employee a written statement showing the amount of such excess. The statement required to be furnished pursuant to this subsection shall be furnished at such time, shall contain such other information, and shall be in such form as the Secretary or his delegate may by regulations prescribe. When required by such regulations, a duplicate of any such statement shall be filed with the Secretary or his delegate."

Post, p. 395.

26 USC 3102.

(B) Section 6652(b) of such Code (relating to failure to file information returns) is amended by inserting after "income tax withheld)," the following: "and in the case of each failure to furnish a statement required by section 6053(b) (relating to statements furnished by employers with respect to tips),".

76 Stat. 1057.
26 USC 6652.

Supra.

(C) Section 6674 of such Code (relating to fraudulent statement or failure to furnish statement to employee) is amended by striking out "6051" each place it appears and inserting in lieu thereof "6051 or 6053(b)".

68A Stat. 828.
26 USC 6674.

68A Stat. 747.
26 USC 6051.

(D) The table of sections for such subpart C is amended by adding at the end thereof the following:

"Sec. 6053. Reporting of tips."

(3) Section 6652 of such Code (relating to failure to file certain information returns) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) FAILURE TO REPORT TIPS.—In the case of failure by an employee to report to his employer on the date and in the manner prescribed therefor any amount of tips required to be so reported by section 6053(a) which are wages (as defined in section 3121(a)), unless it is shown that such failure is due to reasonable cause and not due to willful neglect, there shall be paid by the employee, in addition to the tax imposed by section 3101 with respect to the amount of tips which he so failed to report, an amount equal to 50 percent of such tax."

Ante, p. 384.
26 USC 3121.

Post, p. 395.

(f) The amendments made by this section shall apply only with respect to tips received by employees after 1965.

INCLUSION OF ALASKA AMONG STATES PERMITTED TO DIVIDE THEIR RETIREMENT SYSTEMS

SEC. 314. The first sentence of section 218(d)(6)(C) of the Social Security Act is amended by inserting "Alaska," before "California".

72 Stat. 1038.
42 USC 418.

ADDITIONAL PERIOD FOR ELECTING COVERAGE UNDER DIVIDED RETIREMENT SYSTEM

SEC. 315. The first sentence of section 218(d)(6)(F) of the Social Security Act is amended by striking out "1963" and inserting in lieu thereof "1967".

72 Stat. 1039;
75 Stat. 139.
42 USC 418.

EMPLOYEES OF NONPROFIT ORGANIZATIONS

72 Stat. 1044.
26 USC 3121.

SEC. 316. (a) (1) Section 3121(k) (1) (B) (iii) of the Internal Revenue Code of 1954 (relating to effective date of exemption of religious, charitable, and certain other organizations) is amended to read as follows:

"(iii) the first day of any calendar quarter preceding the calendar quarter in which the certificate is filed, except that such date may not be earlier than the first day of the twentieth calendar quarter preceding the quarter in which such certificate is filed."

(2) The amendment made by paragraph (1) shall apply in the case of any certificate filed under section 3121(k) (1) (A) of such Code after the date of the enactment of this Act.

(b) Section 3121(k) (1) of such Code (relating to waiver of exemption by religious, charitable, and certain other organizations) is further amended by adding at the end thereof the following new subparagraph:

"(H) An organization which files a certificate under subparagraph (A) before 1966 may amend such certificate during 1965 or 1966 to make the certificate effective with the first day of any calendar quarter preceding the quarter for which such certificate originally became effective, except that such date may not be earlier than the first day of the twentieth calendar quarter preceding the quarter in which such certificate is so amended. If an organization amends its certificate pursuant to the preceding sentence, such amendment shall be effective with respect to the service of individuals who concurred in the filing of such certificate (initially or through the filing of a supplemental list) and who concur in the filing of such amendment. An amendment to a certificate filed pursuant to this subparagraph shall be filed with such official and in such form and manner as may be prescribed by regulations made under this chapter. If an amendment is filed pursuant to this subparagraph—

68A Stat. 821.
26 USC 6651.

"(i) for purposes of computing interest and for purposes of section 6651 (relating to addition to tax for failure to file tax return), the due date for the return and payment of the tax for any calendar quarter resulting from the filing of such an amendment shall be the last day of the calendar month following the calendar quarter in which the amendment is filed; and

"(ii) the statutory period for the assessment of such tax shall not expire before the expiration of three years from such due date."

74 Stat. 943.
26 USC 3121 note.

(c) (1) Section 105(b) of the Social Security Amendments of 1960 is amended to read as follows:

"(b) (1) If—

"(A) an individual performed service in the employ of an organization with respect to which remuneration was paid before the first day of the calendar quarter in which the organization filed a waiver certificate pursuant to section 3121(k) (1) of the Internal Revenue Code of 1954, and such service is excepted from employment under section 210(a) (8) (B) of the Social Security Act,

72 Stat. 1035.
42 USC 410.

"(B) such service would have constituted employment as defined in section 210 of such Act if the requirements of section 3121(k) (1) of such Code were satisfied,

"(C) such organization paid, on or before the due date of the tax return for the calendar quarter before the calendar quarter in which the organization filed a certificate pursuant to section 3121(k)(1) of such Code, any amount, as taxes imposed by sections 3101 and 3111 of such Code, with respect to such remuneration paid by the organization to the individual for such service,

72 Stat. 1044.
26 USC 3121.
Post, pp. 395, 396.

"(D) such individual, or a fiduciary acting for such individual or his estate, or his survivor (within the meaning of section 205(c)(1)(C) of such Act), requests that such remuneration be deemed to constitute remuneration for employment for purposes of title II of such Act, and

64 Stat. 518;
Ante, p. 379.
42 USC 401.

"(E) the request is made in such form and manner, and with such official, as may be prescribed by regulations made by the Secretary of Health, Education, and Welfare,

then, subject to the conditions stated in paragraphs (2), (3), (4), and (5), the remuneration with respect to which the amount has been paid as taxes shall be deemed to constitute remuneration for employment for purposes of title II of such Act.

"(2) Paragraph (1) shall not apply with respect to an individual unless the organization referred to in paragraph (1)(A), on or before the date on which the request described in paragraph (1) is made, has filed a certificate pursuant to section 3121(k)(1) of such Code.

"(3) Paragraph (1) shall not apply with respect to an individual who is employed by the organization referred to in paragraph (2) on the date the certificate is filed.

"(4) If credit or refund of any portion of the amount referred to in paragraph (1)(C) (other than a credit or refund which would be allowed if the service constituted employment for purposes of chapter 21 of such Code) has been obtained, paragraph (1) shall not apply with respect to the individual unless the amount credited or refunded (including any interest under section 6611 of such Code) is repaid before January 1, 1968, or, if later, the first day of the third year after the year in which the organization filed a certificate pursuant to section 3121(k)(1) of such Code.

68A Stat. 415.
26 USC 3101-3126.
68A Stat. 819.
26 USC 6611.

"(5) Paragraph (1) shall not apply to any service performed for the organization in a period for which a certificate filed pursuant to section 3121(k)(1) of such Code is not in effect."

(2) The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act. The provisions of section 105(b) of the Social Security Amendments of 1960 which were in effect before the date of the enactment of this Act shall be applicable with respect to any request filed under section 105(b)(1) of such Amendments before such date. Nothing in the preceding sentence shall prevent the filing of a request under section 105(b)(1) of such Amendments as amended by this Act.

74 Stat. 943.
26 USC 3121 note.

(d) If—

(1) an individual performed service with respect to which remuneration was paid before the date of enactment of this Act by an organization which, before such date, filed a waiver certificate pursuant to section 3121(k)(1) of the Internal Revenue Code,

(2) such service is excluded from employment under title II of the Social Security Act but would not be excluded therefrom if the requirements of such section 3121(k)(1) had been met with respect to such service,

(3) such service was performed during the period such certificate was in effect, and

(4) such individual was listed pursuant to such section 3121 (k)(1) at any time during such period and before the date of enactment of this Act as an employee who concurred in the filing of such certificate or such individual filed a request for coverage pursuant to section 105(b) of the Social Security Amendments of 1960, as in effect prior to the enactment of this Act (but such listing or request was not effective with respect to the service described above),

72 Stat. 1044. 26 USC 3121.

74 Stat. 943. 26 USC 3121 note.

then, subject to the conditions stated in subparagraphs (B), (C), (D), and (E) of paragraph (1), and paragraph (4), of section 105(b) of the Social Security Amendments of 1960, as amended by this section, the remuneration of such individual which was paid with respect to such excluded service shall be deemed to constitute remuneration for employment for purposes of such title II; except that, for purposes of this subsection, in applying subparagraph (C) of paragraph (1) of such section 105(b) the date of enactment of this Act shall be considered to be the date on which the organization filed its certificate under section 3121(k)(1) and any reference, in paragraph (4) of such section, to such paragraph (1) shall be considered a reference to the preceding provisions of this subsection.

42 USC 401.

COVERAGE OF TEMPORARY EMPLOYEES OF THE DISTRICT OF COLUMBIA

74 Stat. 936. 42 USC 410.

SEC. 317. (a) Section 210(a)(7) of the Social Security Act is amended—

(1) by striking out "or" at the end of subparagraph (B),

(2) by striking out the semicolon at the end of subparagraph (C)(ii) and inserting in lieu thereof ", or", and

(3) by adding after subparagraph (C) the following new subparagraph:

"(D) service performed in the employ of the District of Columbia or any instrumentality which is wholly owned thereby, if such service is not covered by a retirement system established by a law of the United States; except that the provisions of this subparagraph shall not be applicable to service performed—

"(i) in a hospital or penal institution by a patient or inmate thereof;

"(ii) by any individual as an employee included under section 2 of the Act of August 4, 1947 (relating to certain interns, student nurses, and other student employees of hospitals of the District of Columbia Government; 5 U.S.C. 1052), other than as a medical or dental intern or as a medical or dental resident in training;

61 Stat. 727; 63 Stat. 972.

"(iii) by any individual as an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood, or other similar emergency; or

"(iv) by a member of a board, committee, or council of the District of Columbia, paid on a per diem, meeting, or other fee basis;".

74 Stat. 938. 26 USC 3121.

(b) Section 3121(b)(7) of the Internal Revenue Code of 1954 (relating to certain services not included in definition of employment) is amended—

(1) by striking out "or" at the end of subparagraph (A),

(2) by striking out the semicolon at the end of subparagraph (B) and inserting in lieu thereof ", or", and

(3) by adding after subparagraph (B) the following new subparagraph:

"(C) service performed in the employ of the District of Columbia or any instrumentality which is wholly owned thereby, if such service is not covered by a retirement system established by a law of the United States; except that the provisions of this subparagraph shall not be applicable to service performed—

"(i) in a hospital or penal institution by a patient or inmate thereof;

"(ii) by any individual as an employee included under section 2 of the Act of August 4, 1947 (relating to certain interns, student nurses, and other student employees of hospitals of the District of Columbia Government; 5 U.S.C. 1052), other than as a medical or dental intern or as a medical or dental resident in training; 61 Stat. 727; 63 Stat. 972.

"(iii) by any individual as an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood or other similar emergency; or

"(iv) by a member of a board, committee, or council of the District of Columbia, paid on a per diem, meeting, or other fee basis;".

(c)(1) Section 3125 of such Code (relating to returns in the case of governmental employees in Guam and American Samoa) is amended by adding at the end thereof the following new subsection: 74 Stat. 939. 26 USC 3125.

"(c) DISTRICT OF COLUMBIA.—In the case of the taxes imposed by this chapter with respect to service performed in the employ of the District of Columbia or in the employ of any instrumentality which is wholly owned thereby, the return and payment of the taxes may be made by the Commissioners of the District of Columbia or by such agents as they may designate. The person making such return may, for convenience of administration, make payments of the tax imposed by section 3111 with respect to such service without regard to the $6,600 limitation in section 3121(a)(1)." *Post*, p. 396. *Post*, p. 393.

(2) The heading of such section 3125 is amended by striking out "AND AMERICAN SAMOA" and inserting in lieu thereof ", AMERICAN SAMOA, AND THE DISTRICT OF COLUMBIA".

(3) The table of sections for subchapter C of chapter 21 of such Code (relating to general provisions for Federal Insurance Contributions Act) is amended by striking out

"Sec. 3125. Returns in the case of governmental employees in Guam and American Samoa."

and inserting in lieu thereof

"Sec. 3125. Returns in the case of governmental employees in Guam, American Samoa, and the District of Columbia."

(d) Section 6205(a) of such Code (relating to adjustment of tax) is amended by adding at the end thereof the following new paragraph: 68A Stat. 768; 74 Stat. 940. 26 USC 6205.

"(4) DISTRICT OF COLUMBIA AS EMPLOYER.—For purposes of this subsection, in the case of remuneration received during any calendar year from the District of Columbia or any instrumentality which is wholly owned thereby, the Commissioners of the District of Columbia and each agent designated by them who makes a return pursuant to section 3125 shall be deemed a separate employer."

(e) Section 6413(a) of such Code (relating to adjustment of certain employment taxes) is amended by adding at the end thereof the following paragraph: 68A Stat. 797; 74 Stat. 940. 26 USC 6413.

"(4) DISTRICT OF COLUMBIA AS EMPLOYER.—For purposes of this subsection, in the case of remuneration received during any calendar year from the District of Columbia or any instrumentality

which is wholly owned thereby, the Commissioners of the District of Columbia and each agent designated by them who makes a return pursuant to section 3125 shall be deemed a separate employer."

74 Stat. 939. 26 USC 3125.

68A Stat. 797. 26 USC 6413.

(f)(1) Section 6413(c)(2) of such Code (relating to applicability of special refunds to certain employment taxes) is amended by adding at the end thereof the following new subparagraph:

"(F) GOVERNMENTAL EMPLOYEES IN THE DISTRICT OF COLUMBIA.—In the case of remuneration received from the District of Columbia or any instrumentality wholly owned thereby, during any calendar year, the Commissioners of the District of Columbia and each agent designated by them who makes a return pursuant to section 3125(c) shall, for purposes of this subsection, be deemed a separate employer."

Ante, p. 389.

(2) The heading of such section 6413(c)(2) is amended by striking out "AND AMERICAN SAMOA" and inserting in lieu thereof ", AMERICAN SAMOA, AND THE DISTRICT OF COLUMBIA".

(g) The amendments made by this section shall apply with respect to service performed after the calendar quarter in which this section is enacted and after the calendar quarter in which the Secretary of the Treasury receives a certification from the Commissioners of the District of Columbia expressing their desire to have the insurance system established by title II (and part A of title XVIII) of the Social Security Act extended to the officers and employees coming under the provisions of such amendments.

42 USC 401; *Ante*, p. 291.

COVERAGE FOR CERTAIN ADDITIONAL HOSPITAL EMPLOYEES IN CALIFORNIA

74 Stat. 935. 42 USC 418 note.

SEC. 318. Section 102(k) of the Social Security Amendments of 1960 is amended by inserting "(1)" immediately after "(k)", and by adding at the end thereof the following new paragraph:

"(2) Such agreement, as modified pursuant to paragraph (1), may at the option of such State be further modified, at any time prior to the seventh month after the month in which this paragraph is enacted, so as to apply to services performed for any hospital affected by such earlier modification by any individual who after December 31, 1959, is or was employed by such State (or any political subdivision thereof) in any position described in paragraph (1). Such modification shall be effective with respect to (A) all services performed by such individual in any such position on or after January 1, 1962, and (B) all such services, performed before such date, with respect to which amounts equivalent to the sum of the taxes which would have been imposed by sections 3101 and 3111 of the Internal Revenue Code of 1954 if such services had constituted employment for purposes of chapter 21 of such Code at the time they were performed have, prior to the date of the enactment of this paragraph, been paid."

Post, pp. 395, 396.

68A Stat. 415. 26 USC 3101-3126.

TAX EXEMPTION FOR RELIGIOUS GROUPS OPPOSED TO INSURANCE

SEC. 319. (a) Subsection (c) of section 1402 of the Internal Revenue Code of 1954 is amended by striking out "or" at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; or", and by adding after paragraph (5) the following new paragraph:

68A Stat. 353. 26 USC 1402.

"(6) the performance of service by an individual during the period for which an exemption under subsection (h) is effective with respect to him."

Post, p. 391.

(b) Subsection (c) of section 211 of the Social Security Act is amended by striking out "or" at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; or", and by adding after paragraph (5) the following new paragraph: 64 Stat. 502. 42 USC 411.

"(6) The performance of service by an individual during the period for which an exemption under section 1402(h) of the Internal Revenue Code of 1954 is effective with respect to him."

(c) Section 1402 of the Internal Revenue Code of 1954 is further amended by adding at the end thereof the following new subsection: 68A Stat. 353. 26 USC 1402.

"(h) MEMBERS OF CERTAIN RELIGIOUS FAITHS.—

"(1) EXEMPTION.—Any individual may file an application (in such form and manner, and with such official, as may be prescribed by regulations under this chapter) for an exemption from the tax imposed by this chapter if he is a member of a recognized religious sect or division thereof and is an adherent of established tenets or teachings of such sect or division by reason of which he is conscientiously opposed to acceptance of the benefits of any private or public insurance which makes payments in the event of death, disability, old-age, or retirement or makes payments toward the cost of, or provides services for, medical care (including the benefits of any insurance system established by the Social Security Act). Such exemption may be granted only if the application contains or is accompanied by— 49 Stat. 620. 42 USC 1305.

"(A) such evidence of such individual's membership in, and adherence to the tenets or teachings of, the sect or division thereof as the Secretary or his delegate may require for purposes of determining such individual's compliance with the preceding sentence, and

"(B) his waiver of all benefits and other payments under titles II and XVIII of the Social Security Act on the basis of his wages and self-employment income as well as all such benefits and other payments to him on the basis of the wages and self-employment income of any other person, 42 USC 401; *Ante*, p. 291.

and only if the Secretary of Health, Education, and Welfare finds that—

"(C) such sect or division thereof has the established tenets or teachings referred to in the preceding sentence,

"(D) it is the practice, and has been for a period of time which he deems to be substantial, for members of such sect or division thereof to make provision for their dependent members which in his judgment is reasonable in view of their general level of living, and

"(E) such sect or division thereof has been in existence at all times since December 31, 1950.

An exemption may not be granted to any individual if any benefit or other payment referred to in subparagraph (B) became payable (or, but for section 203 or 222(b) of the Social Security Act, would have become payable) at or before the time of the filing of such waiver. 53 Stat. 1367; 72 Stat. 1032. 42 USC 403, 422.

"(2) TIME FOR FILING APPLICATION.—For purposes of this subsection, an application must be filed—

"(A) In the case of an individual who has self-employment income (determined without regard to this subsection and subsection (c)(6)) for any taxable year ending before December 31, 1965, on or before April 15, 1966, and *Ante*, p. 390.

"(B) In any other case, on or before the time prescribed for filing the return (including any extension thereof) for the first taxable year ending on or after December 31, 1965, for which he has self-employment income (as so determined).

"(3) PERIOD FOR WHICH EXEMPTION EFFECTIVE.—An exemption granted to any individual pursuant to this subsection shall apply with respect to all taxable years beginning after December 31, 1950, except that such exemption shall not apply for any taxable year—

"(A) beginning (i) before the taxable year in which such individual first met the requirements of the first sentence of paragraph (1), or (ii) before the time as of which the Secretary of Health, Education, and Welfare finds that the sect or division thereof of which such individual is a member met the requirements of subparagraphs (C) and (D), or

"(B) ending (i) after the time such individual ceases to meet the requirements of the first sentence of paragraph (1), or (ii) after the time as of which the Secretary of Health, Education, and Welfare finds that the sect or division thereof of which he is a member ceases to meet the requirements of subparagraph (C) or (D).

"(4) APPLICATION BY FIDUCIARIES OR SURVIVORS.—In any case where an individual who has self-employment income dies before the expiration of the time prescribed by paragraph (2) for filing an application for exemption pursuant to this subsection, such an application may be filed with respect to such individual within such time by a fiduciary acting for such individual's estate or by such individual's survivor (within the meaning of section 205 (c)(1)(C) of the Social Security Act)."

64 Stat. 518.
42 USC 405.

(d) Section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

64 Stat. 482;
70 Stat. 838.
42 USC 402.

"Waiver of Benefits

"(v) Notwithstanding any other provisions of this title, in the case of any individual who files a waiver pursuant to section 1402(h) of the Internal Revenue Code of 1954 and is granted a tax exemption thereunder, no benefits or other payments shall be payable under this title to him, no payments shall be made on his behalf under part A of title XVIII, and no benefits or other payments under this title shall be payable on the basis of his wages and self-employment income to any other person, after the filing of such waiver; except that, if thereafter such individual's tax exemption under such section 1402(h) ceases to be effective, such waiver shall cease to be applicable in the case of benefits and other payments under this title and part A of title XVIII to the extent based on his self-employment income for and after the first taxable year for which such tax exemption ceases to be effective and on his wages for and after the calendar year (if any) which begins in or with the beginning of such taxable year."

Ante, p. 391.

Ante, p. 291.

(e) The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1950. For such purpose, chapter 2 of the Internal Revenue Code of 1954 shall be treated as applying to all taxable years beginning after such date.

68A Stat. 353.
26 USC 1401-1403.

(f) If refund or credit of any overpayment resulting from the enactment of this section is prevented on the date of the enactment of this Act or at any time on or before April 15, 1966, by the operation of any law or rule of law, refund or credit of such overpayment may,

nevertheless, be made or allowed if claim therefor is filed on or before April 15, 1966. No interest shall be allowed or paid on any overpayment resulting from the enactment of this section.

INCREASE OF EARNINGS COUNTED FOR BENEFIT AND TAX PURPOSES

SEC. 320. (a)(1)(A) Section 209(a)(3) of the Social Security Act is amended by inserting "and prior to 1966" after "1958". 72 Stat. 1019. 42 USC 409.

(B) Section 209(a) of such Act is further amended by adding at the end thereof the following new paragraph:

"(4) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $6,600 with respect to employment has been paid to an individual during any calendar year after 1965, is paid to such individual during such calendar year;".

(2)(A) Section 211(b)(1)(C) of such Act is amended by inserting "and prior to 1966" after "1958", and by striking out "; or" and inserting in lieu thereof "; and". 42 USC 411.

(B) Section 211(b)(1) of such Act is further amended by adding at the end thereof the following new subparagraph:

"(D) For any taxable year ending after 1965, (i) $6,600, minus (ii) the amount of the wages paid to such individual during the taxable year; or".

(3)(A) Section 213(a)(2)(ii) of such Act is amended by striking out "after 1958" and inserting in lieu thereof "after 1958 and before 1966, or $6,600 in the case of a calendar year after 1965". 72 Stat. 1019; 74 Stat. 949. 42 USC 413.

(B) Section 213(a)(2)(iii) of such Act is amended by striking out "after 1958" and inserting in lieu thereof "after 1958 and before 1966, or $6,600 in the case of a taxable year ending after 1965".

(4) Section 215(e)(1) of such Act is amended by striking out "and the excess over $4,800 in the case of any calendar year after 1958" and inserting in lieu thereof "the excess over $4,800 in the case of any calendar year after 1958 and before 1966, and the excess over $6,600 in the case of any calendar year after 1965". 42 USC 415.

(b)(1)(A) Section 1402(b)(1)(C) of the Internal Revenue Code of 1954 (relating to definition of self-employment income) is amended by inserting "and before 1966" after "1958", and by striking out "; or" and inserting in lieu thereof "; and". 26 USC 1402.

(B) Section 1402(b)(1) of such Code is further amended by adding at the end thereof the following new subparagraph:

"(D) for any taxable year ending after 1965, (i) $6,600, minus (ii) the amount of the wages paid to such individual during the taxable year; or".

(2) Section 3121(a)(1) of such Code (relating to definition of wages) is amended by striking out "$4,800" each place it appears and inserting in lieu thereof "$6,600". 68A Stat. 417; 72 Stat. 1042. 26 USC 3121.

(3) The second sentence of section 3122 of such Code (relating to Federal service) is amended by striking out "$4,800" and inserting in lieu thereof "$6,600". 26 USC 3122.

(4) Section 3125 of such Code (relating to returns in the case of governmental employees in Guam and American Samoa) is amended by striking out "$4,800" where it appears in subsections (a) and (b) and inserting in lieu thereof "$6,600". 74 Stat. 939. 26 USC 3125.

(5) Section 6413(c)(1) of such Code (relating to special refunds of employment taxes) is amended— 72 Stat. 1043. 26 USC 6413.

(A) by inserting "and prior to the calendar year 1966" after "the calendar year 1958";

(B) by inserting after "exceed $4,800," the following: "or (C) during any calendar year after the calendar year 1965, the wages received by him during such year exceed $6,600".

(C) by inserting before the period at the end thereof the following: "and before 1966, or which exceeds the tax with respect to the first $6,600 of such wages received in such calendar year after 1965".

72 Stat. 1043.
26 USC 6413.

(6) Section 6413(c)(2)(A) of such Code (relating to refunds of employment taxes in the case of Federal employees) is amended by striking out "or $4,800 for any calendar year after 1958" and inserting in lieu thereof "$4,800 for the calendar year 1959, 1960, 1961, 1962, 1963, 1964, or 1965, or $6,600 for any calendar year after 1965".

(c) The amendments made by subsections (a)(1) and (a)(3)(A), and the amendments made by subsection (b) (except paragraph (1) thereof), shall apply only with respect to remuneration paid after December 1965. The amendments made by subsections (a)(2), (a)(3)(B), and (b)(1) shall apply only with respect to taxable years ending after 1965. The amendment made by subsection (a)(4) shall apply only with respect to calendar years after 1965.

CHANGES IN TAX SCHEDULES

75 Stat. 140.
26 USC 1401.

SEC. 321. (a) Section 1401 of the Internal Revenue Code of 1954 (relating to rate of tax under the Self-Employment Contributions Act) is amended to read as follows:

"SEC. 1401. RATE OF TAX.

"(a) OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE.—In addition to other taxes, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax as follows:

"(1) in the case of any taxable year beginning after December 31, 1965, and before January 1, 1967, the tax shall be equal to 5.8 percent of the amount of the self-employment income for such taxable year;

"(2) in the case of any taxable year beginning after December 31, 1966, and before January 1, 1969, the tax shall be equal to 5.9 percent of the amount of the self-employment income for such taxable year;

"(3) in the case of any taxable year beginning after December 31, 1968, and before January 1, 1973, the tax shall be equal to 6.6 percent of the amount of the self-employment income for such taxable year; and

"(4) in the case of any taxable year beginning after December 31, 1972, the tax shall be equal to 7.0 percent of the amount of the self-employment income for such taxable year.

"(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax as follows:

"(1) in the case of any taxable year beginning after December 31, 1965, and before January 1, 1967, the tax shall be equal to 0.35 percent of the amount of the self-employment income for such taxable year;

"(2) in the case of any taxable year beginning after December 31, 1966, and before January 1, 1973, the tax shall be equal to 0.50 percent of the amount of the self-employment income for such taxable year;

"(3) in the case of any taxable year beginning after December 31, 1972, and before January 1, 1976, the tax shall be equal to 0.55 percent of the amount of the self-employment income for such taxable year;

"(4) in the case of any taxable year beginning after December 31, 1975, and before January 1, 1980, the tax shall be equal to 0.60 percent of the amount of the self-employment income for such taxable year;

"(5) in the case of any taxable year beginning after December 31, 1979, and before January 1, 1987, the tax shall be equal to 0.70 percent of the amount of the self-employment income for such taxable year; and

"(6) in the case of any taxable year beginning after December 31, 1986, the tax shall be equal to 0.80 percent of the amount of the self-employment income for such taxable year.

For purposes of the tax imposed by this subsection, the exclusion of employee representatives by section 1402(c)(3) shall not apply."

68A Stat. 355.
26 USC 1402.

(b) Section 3101 of the Internal Revenue Code of 1954 (relating to rate of tax on employees under the Federal Insurance Contributions Act) is amended to read as follows:

75 Stat. 141.
26 USC 3101.

"SEC. 3101. RATE OF TAX.

"(a) OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE.—In addition to other taxes, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 3121(a)) received by him with respect to employment (as defined in section 3121(b))—

68A Stat. 417.
26 USC 3121.

"(1) with respect to wages received during the calendar year 1966, the rate shall be 3.85 percent;

"(2) with respect to wages received during the calendar years 1967 and 1968, the rate shall be 3.9 percent;

"(3) with respect to wages received during the calendar years 1969, 1970, 1971, and 1972, the rate shall be 4.4 percent; and

"(4) with respect to wages received after December 31, 1972, the rate shall be 4.85 percent.

"(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 3121(a)) received by him with respect to employment (as defined in section 3121(b), but without regard to the provisions of paragraph (9) thereof insofar as it relates to employees)—

"(1) with respect to wages received during the calendar year 1966, the rate shall be 0.35 percent;

"(2) with respect to wages received during the calendar years 1967, 1968, 1969, 1970, 1971, and 1972, the rate shall be 0.50 percent;

"(3) with respect to wages received during the calendar years 1973, 1974, and 1975, the rate shall be 0.55 percent;

"(4) with respect to wages received during the calendar years 1976, 1977, 1978, and 1979, the rate shall be 0.60 percent;

"(5) with respect to wages received during the calendar years 1980, 1981, 1982, 1983, 1984, 1985, and 1986, the rate shall be 0.70 percent; and

"(6) with respect to wages received after December 31, 1986, the rate shall be 0.80 percent."

75 Stat. 141.
26 USC 3111.

(c) Section 3111 of the Internal Revenue Code of 1954 (relating to rate of tax on employers under the Federal Insurance Contributions Act) is amended to read as follows:

"SEC. 3111. RATE OF TAX.

"(a) OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE.—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 the following percentages of the wages (as defined in section 3121(a)) paid by him with respect to employment (as defined in section 3121(b))—

68A Stat. 417.
26 USC 3121.

"(1) with respect to wages paid during the calendar year 1966, the rate shall be 3.85 percent;

"(2) with respect to wages paid during the calendar years 1967 and 1968, the rate shall be 3.9 percent;

"(3) with respect to wages paid during the calendar years 1969, 1970, 1971, and 1972, the rate shall be 4.4 percent; and

"(4) with respect to wages paid after December 31, 1972, the rate shall be 4.85 percent.

"(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 3121(a)) paid by him with respect to employment (as defined in section 3121(b), but without regard to the provisions of paragraph (9) thereof insofar as it relates to employees)—

"(1) with respect to wages paid during the calendar year 1966, the rate shall be 0.35 percent;

"(2) with respect to wages paid during the calendar years 1967, 1968, 1969, 1970, 1971, and 1972, the rate shall be 0.50 percent;

"(3) with respect to wages paid during the calendar years 1973, 1974, and 1975, the rate shall be 0.55 percent;

"(4) with respect to wages paid during the calendar years 1976, 1977, 1978, and 1979, the rate shall be 0.60 percent;

"(5) with respect to wages paid during the calendar years 1980, 1981, 1982, 1983, 1984, 1985, and 1986, the rate shall be 0.70 percent;

"(6) with respect to wages paid after December 31, 1986, the rate shall be 0.80 percent."

(d) The amendments made by subsection (a) shall apply only with respect to taxable years beginning after December 31, 1965. The amendments made by subsections (b) and (c) shall apply only with respect to remuneration paid after December 31, 1965.

REIMBURSEMENT OF TRUST FUNDS FOR COST OF NONCONTRIBUTORY MILITARY SERVICE CREDITS

70 Stat. 875.
42 USC 417.

SEC. 322. Section 217(g) of the Social Security Act is amended to read as follows:

"(g)(1) In September 1965, and in every fifth September thereafter up to and including September 2010, the Secretary shall determine the amount which, if paid in equal installments at the beginning of each fiscal year in the period beginning—

"(A) with July 1, 1965, in the case of the first such determination, and

"(B) with the July 1 following the determination in the case of all other such determinations,

and ending with the close of June 30, 2015, would accumulate, with interest compounded annually, to an amount equal to the amount needed to place each of the Trust Funds and the Federal Hospital Insurance Trust Fund in the same position at the close of June 30, 2015, as he estimates they would otherwise be in at the close of that date if section 210 of this Act as in effect prior to the Social Security Act Amendments of 1950, and this section, had not been enacted. The rate of interest to be used in determining such amount shall be the rate determined under section 201(d) for public-debt obligations which were or could have been issued for purchase by the Trust Funds in the June preceding the September in which such determination is made.

Ante, p. 299.

42 USC 410.
64 Stat. 477.
42 USC 301 note.
70 Stat. 819.
42 USC 401.

"(2) There are authorized to be appropriated to the Trust Funds and the Federal Hospital Insurance Trust Fund—

"(A) for the fiscal year ending June 30, 1966, an amount equal to the amount determined under paragraph (1) in September 1965, and

"(B) for each fiscal year in the period beginning with July 1, 1966, and ending with the close of June 30, 2015, an amount equal to the annual installment for such fiscal year under the most recent determination under paragraph (1) which precedes such fiscal year.

"(3) For the fiscal year ending June 30, 2016, there is authorized to be appropriated to the Trust Funds and the Federal Hospital Insurance Trust Fund such sums as the Secretary determines would place the Trust Funds and the Federal Hospital Insurance Trust Fund in the same position in which they would have been at the close of June 30, 2015, if section 210 of this Act as in effect prior to the Social Security Act Amendments of 1950, and this section, had not been enacted.

"(4) There are authorized to be appropriated to the Trust Funds and the Federal Hospital Insurance Trust Fund annually, as benefits under this title and part A of title XVIII are paid after June 30, 2015, such sums as the Secretary determines to be necessary to meet the additional costs, resulting from subsections (a), (b), and (e), of such benefits (including lump-sum death payments)."

Ante, p. 291.

ADOPTION OF CHILD BY RETIRED WORKER

SEC. 323. (a) Section 202(d) of the Social Security Act is amended—

72 Stat. 1022.
42 USC 402.

(1) by striking out the last sentence in paragraph (1), and

(2) by adding at the end thereof (after the new paragraphs added by section 306 of this Act) the following new paragraphs:

Ante, p. 370.

"(9) In the case of—

"(A) an individual entitled to disability insurance benefits, or

"(B) an individual entitled to old-age insurance benefits who was entitled to disability insurance benefits for the month preceding the first month for which he was entitled to old-age insurance benefits,

a child of such individual adopted after such individual became entitled to such disability insurance benefits shall be deemed not to meet the requirements of clause (i) or (iii) of paragraph (1)(C) unless such child—

"(C) is the natural child or stepchild of such individual (including such a child who was legally adopted by such individual), or

"(D) was legally adopted by such individual before the end of the 24-month period beginning with the month after the month in which such individual most recently became entitled to disability insurance benefits, but only if—

"(i) proceedings for such adoption of the child had been instituted by such individual in or before the month in which began the period of disability of such individual which still exists at the time of such adoption (or, if such child was adopted by such individual after such individual attained age 65, the period of disability of such individual which existed in the month preceding the month in which he attained age 65), or

"(ii) such adopted child was living with such individual in such month.

"(10) If an individual entitled to old-age insurance benefits (but not an individual included under paragraph (9)) adopts a child after such individual becomes entitled to such benefits, such child shall be deemed not to meet the requirements of clause (i) of paragraph (1)(C) unless such child—

"(A) is the natural child or stepchild of such individual (including such a child who was legally adopted by such individual), or

"(B) was legally adopted by such individual before the end of the 24-month period beginning with the month after the month in which such individual became entitled to old-age insurance benefits, but only if—

"(i) such child had been receiving at least one-half of his support from such individual for the year before such individual filed his application for old-age insurance benefits or, if such individual had a period of disability which continued until he had become entitled to old-age insurance benefits, for the year before such period of disability began, and

"(ii) either proceedings for such adoption of the child had been instituted by such individual in or before the month in which the individual filed his application for old-age insurance benefits or such adopted child was living with such individual in such month."

(b) The amendments made by subsection (a) of this section shall be applicable to persons who file applications, or on whose behalf applications are filed, for benefits under section 202(d) of the Social Security Act on or after the date this section is enacted. The time limit provided by section 202(d)(10)(B) of such Act as amended by this section for legally adopting a child shall not apply in the case of any child who is adopted before the end of the 12-month period following the month in which this section is enacted.

72 Stat. 1022.
42 USC 402.
Supra.

EXTENSION OF PERIOD FOR FILING PROOF OF SUPPORT AND APPLICATIONS FOR LUMP-SUM DEATH PAYMENT

70 Stat. 832.
42 USC 402.

SEC. 324. (a) Section 202(p) of the Social Security Act is amended to read as follows:

"Extension of Period for Filing Proof of Support and Applications for Lump-Sum Death Payment

"(p) In any case in which there is a failure—

"(1) to file proof of support under subparagraph (C) of subsection (c)(1), clause (i) or (ii) of subparagraph (D) of subsection (f)(1), or subparagraph (B) of subsection (h)(1), or

under clause (B) of subsection (f)(1) of this section as in effect prior to the Social Security Act Amendments of 1950, within the period prescribed by such subparagraph or clause, or

64 Stat. 477. 42 USC 301 note.

"(2) to file, in the case of a death after 1946, application for a lump-sum death payment under subsection (i), or under subsection (g) of this section as in effect prior to the Social Security Act Amendments of 1950, within the period prescribed by such subsection,

42 USC 402.

any such proof or application, as the case may be, which is filed after the expiration of such period shall be deemed to have been filed within such period if it is shown to the satisfaction of the Secretary that there was good cause for failure to file such proof or application within such period. The determination of what constitutes good cause for purposes of this subsection shall be made in accordance with regulations of the Secretary."

(b) The amendments made by this section shall be effective with respect to (1) applications for lump-sum death payments filed in or after the month in which this Act is enacted, and (2) monthly benefits based on applications filed in or after such month.

TREATMENT OF CERTAIN ROYALTIES FOR RETIREMENT TEST PURPOSES

SEC. 325. (a)(1) Subparagraph (B) of section 203 (f)(5) of the Social Security Act is amended to read as follows:

74 Stat. 956. 42 USC 403.

"(B) For purposes of this section—

"(i) an individual's net earnings from self-employment for any taxable year shall be determined as provided in section 211, except that paragraphs (1), (4), and (5) of section 211(c) shall not apply and the gross income shall be computed by excluding the amounts provided by subparagraph (D), and

42 USC 411.

"(ii) an individual's net loss from self-employment for any taxable year is the excess of the deductions (plus his distributive share of loss described in section 702(a)(9) of the Internal Revenue Code of 1954) taken into account under clause (i) over the gross income (plus his distributive share of income so described) taken into account under clause (i)."

68A Stat. 239. 26 USC 702.

(2) Such section 203(f)(5) is further amended by adding at the end thereof the following new subparagraph:

"(D) In the case of an individual—

"(i) who has attained the age of 65 on or before the last day of the taxable year, and

"(ii) who shows to the satisfaction of the Secretary that he is receiving royalties attributable to a copyright or patent obtained before the taxable year in which he attained the age of 65 and that the property to which the copyright or patent relates was created by his own personal efforts,

there shall be excluded from gross income any such royalties."

(b) The amendments made by subsection (a) shall apply with respect to the computation of net earnings from self-employment and the net loss from self-employment for taxable years beginning after 1964.

AMENDMENTS PRESERVING RELATIONSHIP BETWEEN RAILROAD RETIREMENT AND OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE SYSTEMS

50 Stat. 307; 75 Stat. 142. 45 USC 228a. 73 Stat. 27. 45 USC 228e.

SEC. 326. (a) Section 1(q) of the Railroad Retirement Act of 1937 is amended by striking out "1961" and inserting in lieu thereof "1965".

(b) Section 5(l)(9) of such Act is amended by striking out "after 1958 is less than $4,800" and inserting in lieu thereof the following: "after 1958 and before 1966 is less than $4,800, or for any calendar year after 1965 is less than $6,600"; and by striking out "and $4,800 for years after 1958", and inserting in lieu thereof the following: "$4,800 for years after 1958 and before 1966, and $6,600 for years after 1965".

TECHNICAL AMENDMENT RELATING TO MEETINGS OF BOARD OF TRUSTEES OF THE OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE TRUST FUNDS

70 Stat. 819. 42 USC 401.

SEC. 327. Section 201(c) of the Social Security Act is amended by striking out "six months" in the fourth sentence and inserting in lieu thereof "calendar year".

APPLICATIONS FOR BENEFITS

64 Stat. 487. 42 USC 402.

SEC. 328. (a) Section 202(j)(2) of the Social Security Act is amended to read as follows:

"(2) An application for any monthly benefits under this section filed before the first month in which the applicant satisfies the requirements for such benefits shall be deemed a valid application only if the applicant satisfies the requirements for such benefits before the Secretary makes a final decision on the application. If upon final decision by the Secretary, or decision upon judicial review thereof, such applicant is found to satisfy such requirements, the application shall be deemed to have been filed in such first month."

Ante, p. 367.

(b) Section 216(i)(2) of such Act (as amended by subsection (b)(1) of section 303) is amended by inserting after subparagraph (E) the following:

"(F) An application for a disability determination filed before the first day on which the applicant satisfies the requirements for a period of disability under this subsection shall be deemed a valid application only if the applicant satisfies the requirements for a period of disability before the Secretary makes a final decision on the application. If upon final decision by the Secretary, or decision upon judicial review thereof, such applicant is found to satisfy such requirements, the application shall be deemed to have been filed on such first day."

70 Stat. 815. 42 USC 423.

(c) The first sentence of section 223(b) of such Act is amended to read as follows: "An application for disability insurance benefits filed before the first month in which the applicant satisfies the requirements for such benefits (as prescribed in subsection (a)(1)) shall be deemed a valid application only if the applicant satisfies the requirements for such benefits before the Secretary makes a final decision on the application. If, upon final decision by the Secretary, or decision upon judicial review thereof, such applicant is found to satisfy such requirements, the application shall be deemed to have been filed in such first month."

(d) The amendments made by this section shall apply with respect to (1) applications filed on or after the date of enactment of this Act, (2) applications as to which the Secretary has not made a final decision before the date of enactment of this Act, and (3) if a civil action with respect to final decision by the Secretary has been commenced under section 205(g) of the Social Security Act before the date of enactment of this Act, applications as to which there has been no final judicial decision before the date of enactment of this Act.

53 Stat. 1370.
42 USC 405.

UNDERPAYMENTS

SEC. 329. Section 204 of the Social Security Act is amended by adding at the end thereof the following new subsection:

42 USC 404.

"(d) Notwithstanding the provisions of subsection (a), if an individual dies before any payment due him under this title is completed, and the total amount due at the time of his death does not exceed the amount of the monthly insurance benefit to which he was entitled for the month preceding the month in which he died, payment of the amount due shall be made—

"(1) to the person, if any, determined by the Secretary to be the surviving spouse of the deceased individual and to have been living in the same household with the deceased at the time of his death, or

"(2) if there is no such person, or if such person dies before receiving payment, to the legal representative of the estate of such deceased individual."

PAYMENTS TO TWO OR MORE INDIVIDUALS OF THE SAME FAMILY

SEC. 330. Section 205(n) of the Social Security Act is amended to read as follows:

"(n) The Secretary may, in his discretion, certify to the Managing Trustee any two or more individuals of the same family for joint payment of the total benefits payable to such individuals for any month, and if one of such individuals dies before a check representing such joint payment is negotiated, payment of the amount of such unnegotiated check to the surviving individual or individuals may be authorized in accordance with regulations of the Secretary of the Treasury; except that appropriate adjustment or recovery shall be made under section 204(a) with respect to so much of the amount of such check as exceeds the amount to which such surviving individual or individuals are entitled under this title for such month."

VALIDATING CERTIFICATES FILED BY MINISTERS

SEC. 331. (a) Section 1402(e) of the Internal Revenue Code of 1954 (relating to certificates to waive tax exemption on self-employment income in the case of ministers, members of religious orders, and Christian Science practitioners) is amended by striking out paragraphs (5) and (6) and inserting in lieu thereof the following:

68 Stat. 1088.
26 USC 1402.

"(5) OPTIONAL PROVISION FOR CERTAIN CERTIFICATES FILED ON OR BEFORE APRIL 15, 1967.—Notwithstanding any other provision of this section, in any case where an individual has derived earnings in any taxable year ending after 1954 from the performance of service described in subsection (c)(4), or in subsection (c)(5) insofar as it related to the performance of service by an individual

in the exercise of his profession as a Christian Science practitioner, and has reported such earnings as self-employment income on a return filed on or before the due date prescribed for filing such return (including any extension thereof)—

"(A) a certificate filed by such individual on or before April 15, 1966, which (but for this subparagraph) is ineffective for the first taxable year ending after 1954 for which such a return was filed shall be effective for such first taxable year and for all succeeding taxable years, provided a supplemental certificate is filed by such individual (or a fiduciary acting for such individual or his estate, or his survivor within the meaning of section 205(c)(1)(C) of the Social Security Act) after the date of enactment of the Social Security Amendments of 1965 and on or before April 15, 1967, and

64 Stat. 518.
42 USC 405.

"(B) a certificate filed after the date of enactment of the Social Security Amendments of 1965 and on or before April 15, 1967, by a survivor (within the meaning of section 205(c)(1)(C) of the Social Security Act) of such an individual who died on or before April 15, 1966, may be effective, at the election of the person filing such a certificate, for the first taxable year ending after 1954 for which such a return was filed and for all succeeding years,

but only if—

Ante, p. 394.

"(i) the tax under section 1401 in respect to all such individual's self-employment income (except for underpayments of tax attributable to errors made in good faith), for each such year described in subparagraphs (A) and (B) ending before January 1, 1966, is paid on or before April 15, 1967, and

"(ii) in any case where refund has been made of any such tax which (but for this paragraph) is an overpayment, the amount refunded (including any interest paid under section 6611) is repaid on or before April 15, 1967.

68A Stat. 819.
26 USC 6611.
26 USC 6401.

The provisions of section 6401 shall not apply to any payment or repayment described in this paragraph."

(b) In the case of a certificate or supplemental certificate filed pursuant to section 1402(e)(5) of the Internal Revenue Code of 1954, as amended by subsection (a)—

(1) for purposes of computing interest, the due date for the payment of the tax under section 1401 of such Code which is due for any taxable year ending before January 1, 1966, solely by reason of the filing of a certificate which is effective under such section 1402(e)(5) shall be April 15, 1967;

26 USC 6501.

(2) for purposes of section 6501 of such Code, the statutory period for the assessment of any tax for any taxable year for which tax is due solely by reason of the filing of such certificate shall not expire before April 16, 1970; and

26 USC 6651.

(3) for purposes of section 6651 of such Code (relating to addition to tax for failure to file tax return), the amount of tax required to be shown on the return shall not include tax under section 1401 of such Code which is due for any taxable year ending before January 1, 1966, solely by reason of the filing of a certificate which is effective under section 1402(e)(5).

(c) Notwithstanding any provision of section 205(c)(5)(F) of the Social Security Act, the Secretary of Health, Education, and Welfare may conform, before April 16, 1970, his records to tax returns or state-

74 Stat. 933.
42 USC 405.

ments of earnings which constitute self-employment income solely by reason of the filing of a certificate which is effective under section 1402(e)(5) of such Code.

(d) The amendments made by this section shall be applicable (except as otherwise specifically provided therein) only to certificates with respect to which supplemental certificates are filed pursuant to section 1402(e)(5)(A) of such Code after the date of the enactment of this Act, and to certificates filed pursuant to section 1402(e)(5)(B) after such date; except that no monthly benefits under title II of the Social Security Act for the month in which this Act is enacted or any prior month shall be payable or increased by reason of such amendments, and no lump-sum death payment under such title shall be payable or increased by reason of such amendments in the case of any individual who died prior to the date of the enactment of this Act. The provisions of section 1402(e) (5) and (6) of the Internal Revenue Code of 1954 which were in effect before the date of enactment of this Act shall be applicable with respect to any certificate filed pursuant thereto before such date if a supplemental certificate is not filed with respect to such certificate as provided in this section.

Ante, p. 401.

42 USC 401.

74 Stat. 927; 75 Stat. 141. 26 USC 1402.

DETERMINATION OF ATTORNEYS' FEES IN COURT PROCEEDINGS UNDER TITLE II

SEC. 332. The heading of section 206 of the Social Security Act is amended to read "REPRESENTATION OF CLAIMANTS". Such section is further amended by inserting "(a)" after "SEC. 206." and by adding at the end of such section the following new subsection:

53 Stat. 1372. 42 USC 406.

"(b)(1) Whenever a court renders a judgment favorable to a claimant under this title who was represented before the court by an attorney, the court may determine and allow as part of its judgment a reasonable fee for such representation, not in excess of 25 percent of the total of the past-due benefits to which the claimant is entitled by reason of such judgment, and the Secretary may, notwithstanding the provisions of section 205(i), certify the amount of such fee for payment to such attorney out of, and not in addition to, the amount of such past-due benefits. In case of any such judgment, no other fee may be payable or certified for payment for such representation except as provided in this paragraph.

42 USC 405.

"(2) Any attorney who charges, demands, receives, or collects for services rendered in connection with proceedings before a court to which paragraph (1) is applicable any amount in excess of that allowed by the court thereunder shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500, or imprisonment for not more than one year, or both."

CONTINUATION OF WIDOW'S AND WIDOWER'S INSURANCE BENEFITS AFTER REMARRIAGE

SEC. 333. (a)(1) Subsection (e) of section 202 of the Social Security Act, as amended by section 308 of this Act, is amended by adding at the end thereof the following new paragraph:

Ante, p. 376.

"(4) If a widow, after attaining the age of 60, marries an individual (other than one described in subparagraph (A) or (B) of paragraph (3)), such marriage shall, for purposes of paragraph (1), be deemed not to have occurred; except that, notwithstanding the provisions of paragraph (2) and subsection (q), such widow's insur-

Ante, pp. 373, 374.

ance benefit for the month in which such marriage occurs and each month thereafter prior to the month in which the husband dies or such marriage is otherwise terminated, shall be equal to 50 per centum of the primary insurance amount of the deceased individual on whose wages and self-employment income such benefit is based."

(2) Paragraph (2) of such subsection, as amended by section 307 of this Act, is further amended by inserting before the comma "and paragraph (4) of this subsection".

Ante, p. 373.

64 Stat. 485.
42 USC 402.

(b)(1) Subsection (f) of such section is amended by adding at the end thereof the following new paragraph:

"(5) If a widower, after attaining the age of 62, marries an individual (other than one described in subparagraph (A) or (B) of paragraph (4)), such marriage shall, for purposes of paragraph (1), be deemed not to have occurred; except that, notwithstanding the provisions of paragraph (3) and subsection (q), such widower's insurance benefit for the month in which such marriage occurs and each month thereafter prior to the month in which the wife dies or such marriage is otherwise terminated, shall be equal to 50 per centum of the primary insurance amount of the deceased individual on whose wages and self-employment income such benefit is based."

Ante, p. 374.

(2) Paragraph (3) of such subsection is amended by striking out "Such" and inserting in lieu thereof "Except as provided in paragraph (5), such".

(c)(1) Paragraph (2)(B) of subsection (k) of such section 202 is amended by inserting "other than an individual to whom subsection (e)(4) or (f)(5) applies)" after "Any individual" and by adding at the end thereof the following new sentence: "Any individual who is entitled for any month to more than one widow's or widower's insurance benefit to which subsection (e)(4) or (f)(5) applies shall be entitled to only one such benefit for such month, such benefit to be the largest of such benefits.".

Ante, p. 403.

(2) Paragraph (3) of such subsection is amended by inserting "(A)" after "(3)" and by adding at the end thereof the following new subparagraph:

"(B) If an individual is entitled for any month to a widow's or widower's insurance benefit to which subsection (e)(4) or (f)(5) applies and to any other monthly insurance benefit under section 202 (other than an old-age insurance benefit), such other insurance benefit for such month, after any reduction under subparagraph (A), any reduction under subsection (q), and any reduction under section 203(a), shall be reduced, but not below zero, by an amount equal to such widow's or widower's insurance benefit after any reduction or reductions under such subparagraph (A) and such section 203(a)."

72 Stat. 1017.
42 USC 403.

(d) The amendments made by this section shall apply with respect to monthly insurance benefits under section 202 of the Social Security Act beginning with the second month following the month in which this Act is enacted; but, in the case of an individual who was not entitled to a monthly insurance benefit under section 202(e) or (f) of such Act for the first month following the month in which this Act is enacted, only on the basis of an application filed in or after the month in which this Act is enacted.

Ante, pp. 376, 403; *Supra*.

CHANGES IN DEFINITIONS OF WIFE, WIDOW, HUSBAND, AND WIDOWER

SEC. 334. (a) Section 216(b) of the Social Security Act, as amended by section 306 of this Act, is amended by striking out "or" at the end of clause (3)(A), and by inserting immediately before the period at the end thereof the following: ", or (C) was entitled to, or upon appli-

Ante, p. 373.

cation therefor and attainment of the required age (if any) would have been entitled to, a widow's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended".

50 Stat. 312.
45 USC 228e.

(b) Section 216(c) of such Act, as amended by section 306 of this Act, is amended by striking out "or" at the end of clause (6)(A), and by inserting immediately before the period at the end thereof the following: ", or (C) she was entitled to, or upon application therefor and attainment of the required age (if any) would have been entitled to, a widow's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended".

Ante, p. 373.

(c) Section 216(f) of such Act, as amended by section 306 of this Act, is amended by striking out "or" at the end of clause (3)(A), and by inserting immediately before the period at the end thereof the following: ", or (C) he was entitled to, or upon application therefor and attainment of the required age (if any) he would have been entitled to, a widower's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended".

(d) Section 216(g) of such Act, as amended by section 306 of this Act, is amended by striking out "or" at the end of clause (6)(A), and by inserting immediately before the period at the end thereof the following: ", or (C) he was entitled to, or on application therefor and attainment of the required age (if any) he would have been entitled to, a widower's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended".

(e) Section 202(c)(2) is amended by striking out "or" at the end of subparagraph (A), by striking out the period at the end of subparagraph (B) and inserting in lieu thereof "; or", and by adding after such subparagraph (B) the following new subparagraph:

72 Stat. 1026;
Ante, p. 372.
42 USC 402.

"(C) in the month prior to the month of his marriage to such individual he was entitled to, or on application therefor and attainment of the required age (if any) would have been entitled to, a widower's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended."

(f) Section 202(f)(2) of such Act is amended by striking out "or" at the end of subparagraph (A), by striking out the period at the end of subparagraph (B) and inserting in lieu thereof "; or", and by adding after such subparagraph (B) the following new subparagraph:

"(C) in the month prior to the month of his marriage to such individual he was entitled to, or on application therefor and attainment of the required age (if any), would have been entitled to, a widower's, child's (after attainment of age 18), or parent's insurance annuity under section 5 of the Railroad Retirement Act of 1937, as amended."

(g) The amendments made by this section shall be applicable only with respect to monthly insurance benefits under title II of the Social Security Act beginning with the second month following the month in which this Act is enacted, but only on the basis of applications filed in or after the month in which this Act is enacted.

42 USC 401.

REDUCTION OF BENEFITS ON RECEIPT OF WORKMEN'S COMPENSATION

42 USC 401.

70 Stat. 815.
42 USC 423.

SEC. 335. Effective with respect to benefits under title II of the Social Security Act for months after December 1965 based on the wages and self-employment income of an individual who is entitled to benefits under section 223 of such Act and whose period of disability (as defined in such title) began after June 1, 1965, title II of such Act is amended by inserting after section 223 the following new section:

"REDUCTION OF BENEFITS BASED ON DISABILITY ON ACCOUNT OF RECEIPT OF WORKMEN'S COMPENSATION

"SEC. 224. (a) If for any month prior to the month in which an individual attains the age of 62—

"(1) such individual is entitled to benefits under section 223, and

"(2) such individual is entitled for such month, under a workmen's compensation law or plan of the United States or a State, to periodic benefits for a total or partial disability (whether or not permanent), and the Secretary has, in a prior month, received notice of such entitlement for such month,

the total of his benefits under section 223 for such month and of any benefits under section 202 for such month based on his wages and self-employment income shall be reduced (but not below zero) by the amount by which the sum of—

64 Stat. 482.
42 USC 402.

"(3) such total of benefits under sections 223 and 202 for such month, and

"(4) such periodic benefits payable (and actually paid) for such month to such individual under the workmen's compensation law or plan,

exceeds the higher of—

"(5) 80 per centum of his 'average current earnings', or

"(6) the total of such individual's disability insurance benefits under section 223 for such month and of any monthly insurance benefits under section 202 for such month based on his wages and self-employment income, prior to reduction under this section.

In no case shall the reduction in the total of such benefits under sections 223 and 202 for a month (in a continuous period of months) reduce such total below the sum of—

"(7) the total of the benefits under sections 223 and 202, after reduction under this section, with respect to all persons entitled to benefits on the basis of such individual's wages and self-employment income for such month which were determined for such individual and such persons for the first month for which reduction under this section was made (or which would have been so determined if all of them had been so entitled in such first month), and

"(8) any increase in such benefits with respect to such individual and such persons, before reduction under this section, which is made effective for months after the first month for which reduction under this section is made.

For purposes of clause (5), an individual's average current earnings means the larger of (A) the average monthly wage used for purposes of computing his benefits under section 223, or (B) one-sixtieth of the total of his wages and self-employment income for the five consecutive calendar years after 1950 for which such wages and self-employment income were highest.

"(b) If any periodic benefit under a workmen's compensation law or plan is payable on other than a monthly basis (excluding a benefit payable as a lump sum except to the extent that it is a commutation of, or a substitute for, periodic payments), the reduction under this section shall be made at such time or times and in such amounts as the Secretary finds will approximate as nearly as practicable the reduction prescribed by subsection (a).

"(c) Reduction of benefits under this section shall be made after any reduction under subsection (a) of section 203, but before deductions under such section and under section 222(b).

Ante, p. 363, 378.
70 Stat. 817.
42 USC 422.

"(d) The reduction of benefits required by this section shall not be made if the workmen's compensation law or plan under which a periodic benefit is payable provides for the reduction thereof when anyone is entitled to benefits under this title on the basis of the wages and self-employment income of an individual entitled to benefits under section 223.

70 Stat. 815.
42 USC 423.

"(e) If it appears to the Secretary that an individual may be eligible for periodic benefits under a workmen's compensation law or plan which would give rise to reduction under this section, he may require, as a condition of certification for payment of any benefits under section 223 to any individual for any month and of any benefits under section 202 for such month based on such individual's wages and self-employment income, that such individual certify (i) whether he has filed or intends to file any claim for such periodic benefits, and (ii) if he has so filed, whether there has been a decision on such claim. The Secretary may, in the absence of evidence to the contrary, rely upon such a certification by such individual that he has not filed and does not intend to file such a claim, or that he has so filed and no final decision thereon has been made, in certifying benefits for payment pursuant to section 205(i).

64 Stat. 482.
42 USC 402.

53 Stat. 1371.
42 USC 405.

"(f)(1) In the second calendar year after the year in which reduction under this section in the total of an individual's benefits under section 223 and any benefits under section 202 based on his wages and self-employment income was first required (in a continuous period of months), and in each third year thereafter, the Secretary shall redetermine the amount of such benefits which are still subject to reduction under this section; but such redetermination shall not result in any decrease in the total amount of benefits payable under this title on the basis of such individual's wages and self-employment income. Such redetermined benefit shall be determined as of, and shall become effective with, the January following the year in which such redetermination was made.

"(2) In making the redetermination required by paragraph (1), the individual's average current earnings (as defined in subsection (a)) shall be deemed to be the product of his average current earnings as initially determined under subsection (a) and the ratio of (i) the average of the taxable wages of all persons for whom taxable wages were reported to the Secretary for the first calendar quarter of the calendar year in which such redetermination is made, to (ii) the average of the taxable wages of such persons reported to the Secretary for the first calendar quarter of the taxable year in which the reduction was first computed (but not counting any reduction made in benefits for a previous period of disability). Any amount determined under the preceding sentence which is not a multiple of $1 shall be reduced to the next lower multiple of $1.

"(g) Whenever a reduction in the total of benefits for any month based on an individual's wages and self-employment income is made under this section, each benefit, except the disability insurance benefit, shall first be proportionately decreased, and any excess of such reduction over the sum of all such benefits other than the disability insurance benefit shall then be applied to such disability insurance benefit."

PAYMENT OF COSTS OF REHABILITATION SERVICES FROM THE TRUST FUNDS

70 Stat. 817.
42 USC 422.

SEC. 336. Section 222 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"COSTS OF REHABILITATION SERVICES FROM TRUST FUNDS

"(d)(1) For the purpose of making vocational rehabilitation services more readily available to disabled individuals who are—

"(A) entitled to disability insurance benefits under section 223, or

70 Stat. 815.
42 USC 423.
64 Stat. 482.
42 USC 402.

"(B) entitled to child's insurance benefits under section 202 (d) after having attained age 18 (and are under a disability), to the end that savings will result to the Trust Funds as a result of rehabilitating the maximum number of such individuals into productive activity, there are authorized to be transferred from the Trust Funds such sums as may be necessary to enable the Secretary to pay the costs of vocational rehabilitation services for such individuals (including (i) services during their waiting periods, and (ii) so much of the expenditures for the administration of any State plan as is attributable to carrying out this subsection); except that the total amount so made available pursuant to this subsection in any fiscal year may not exceed 1 percent of the total of the benefits under section 202(d) for children who have attained age 18 and are under a disability, and the benefits under section 223, which were certified for payment in the preceding year. The selection of individuals (including the order in which they shall be selected) to receive such services shall be made in accordance with criteria formulated by the Secretary which are based upon the effect the provision of such services would have upon the Trust Funds.

Ante, pp. 370, 397.

"(2) In the case of each State which is willing to do so, such vocational rehabilitation services shall be furnished under a State plan for vocational rehabilitation services which—

"(A) has been approved under section 5 of the Vocational Rehabilitation Act,

68 Stat. 656.
29 USC 35.

"(B) provides that, to the extent funds provided under this subsection are adequate for the purpose, such services will be furnished, to any individual in the State who meets the criteria prescribed by the Secretary pursuant to paragraph (1), with reasonable promptness and in accordance with the order of selection determined under such criteria, and

"(C) provides that such services will be furnished to any individual without regard to (i) his citizenship or place of residence, (ii) his need for financial assistance except as provided in regulations of the Secretary in the case of maintenance during rehabilitation, or (iii) any order of selection which would otherwise be followed under the State plan pursuant to section 5(a)(4) of the Vocational Rehabilitation Act.

"(3) In the case of any State which does not have a plan which meets the requirements of paragraph (2), the Secretary may provide such services by agreement or contract with other public or private agencies, organizations, institutions, or individuals.

"(4) Payments under this subsection may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(5) Money paid from the Trust Funds under this subsection to pay the costs of providing services to individuals who are entitled to benefits under section 223 (including services during their waiting periods), or who are entitled to benefits under section 202(d) on the basis of the wages and self-employment income of such individuals shall be charged to the Federal Disability Insurance Trust Fund, and all other money paid out from the Trust Funds under this subsection shall be charged to the Federal Old-Age and Survivors Insurance Trust Fund. The Secretary shall determine according to such methods and procedures as he may deem appropriate—

70 Stat. 815.
42 USC 423.
64 Stat. 482;
Ante, pp. 370, 397.
42 USC 402.
Ante, p. 370.

"(A) the total cost of the services provided under this subsection, and

"(B) subject to the provisions of the preceding sentence, the amount of such cost which should be charged to each of such Trust Funds.

"(6) For the purposes of this subsection the term 'vocational rehabilitation services' shall have the meaning assigned to it in the Vocational Rehabilitation Act, except that such services may be limited in type, scope, or amount in accordance with regulations of the Secretary designed to achieve the purposes of this subsection."

68 Stat. 652.
29 USC 31 note.

TEACHERS IN THE STATE OF MAINE

SEC. 337. (a) Section 316 of the Social Security Amendments of 1958 is amended by striking out "July 1, 1965" and inserting in lieu thereof "July 1, 1967".

72 Stat. 1040;
78 Stat. 240.
42 USC 418 note.

(b) The amendment made by this section shall be effective as of July 1, 1965.

MODIFICATION OF AGREEMENT WITH NORTH DAKOTA AND IOWA WITH RESPECT TO CERTAIN STUDENTS

SEC. 338. Notwithstanding any provision of section 218 of the Social Security Act, the agreements with the States of North Dakota and Iowa entered into pursuant to such section may, at the option of the State, be modified so as to exclude service performed in any calendar quarter in the employ of a school, college, or university if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university and if the remuneration for such service is less than $50. Any modification of either of such agreements pursuant to this Act shall be effective with respect to services performed after an effective date specified in such modification, except that such date shall not be earlier than the date of enactment of this Act.

64 Stat. 514.
42 USC 418.

QUALIFICATION OF CHILDREN NOT QUALIFIED UNDER STATE LAW

SEC. 339. (a) Section 216(h) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

71 Stat. 519;
72 Stat. 1030.
42 USC 416.

"(3) An applicant who is the son or daughter of a fully or currently insured individual, but who is not (and is not deemed to be) the child of such insured individual under paragraph (2), shall nevertheless be deemed to be the child of such insured individual if:

"(A) in the case of an insured individual entitled to old-age insurance benefits (who was not, in the month preceding such entitlement, entitled to disability insurance benefits)—

"(i) such insured individual—

"(I) has acknowledged in writing that the applicant is his son or daughter,

"(II) has been decreed by a court to be the father of the applicant, or

"(III) has been ordered by a court to contribute to the support of the applicant because the applicant is his son or daughter,

and such acknowledgment, court decree, or court order was made not less than one year before such insured individual became entitled to old-age insurance benefits or attained age 65, whichever is earlier; or

"(ii) such insured individual is shown by evidence satisfactory to the Secretary to be the father of the applicant and was living with or contributing to the support of the applicant at the time such insured individual became entitled to benefits or attained age 65, whichever first occurred;

"(B) in the case of an insured individual entitled to disability insurance benefits, or who was entitled to such benefits in the month preceding the first month for which he was entitled to old-age insurance benefits—

"(i) such insured individual—

"(I) has acknowledged in writing that the applicant is his son or daughter,

"(II) has been decreed by a court to be the father of the applicant, or

"(III) has been ordered by a court to contribute to the support of the applicant because the applicant is his son or daughter,

and such acknowledgment, court decree, or court order was made before such insured individual's most recent period of disability began; or

"(ii) such insured individual is shown by evidence satisfactory to the Secretary to be the father of the applicant and was living with or contributing to the support of that applicant at the time such period of disability began;

"(C) in the case of a deceased individual—

"(i) such insured individual—

"(I) had acknowledged in writing that the applicant is his son or daughter,

"(II) had been decreed by a court to be the father of the applicant, or

"(III) had been ordered by a court to contribute to the support of the applicant because the applicant was his son or daughter,

and such acknowledgment, court decree, or court order was made before the death of such insured individual, or

"(ii) such insured individual is shown by evidence satisfactory to the Secretary to have been the father of the applicant, and such insured individual was living with or contributing to the support of the applicant at the time such insured individual died."

74 Stat. 952.
42 USC 402.

(b) Section 202(d) of such Act is amended by inserting after "216(h)(2)(B)" the following: "or section 216(h)(3)".

(c) The amendments made by subsections (a) and (b) shall be applicable with respect to monthly insurance benefits under title II of the Social Security Act beginning with the second month following the month in which this Act is enacted but only on the basis of an application filed in or after the month in which this Act is enacted. 42 USC 401.

DISCLOSURE, UNDER CERTAIN CIRCUMSTANCES, TO COURTS AND INTERESTED WELFARE AGENCIES OF WHEREABOUTS OF INDIVIDUALS

SEC. 340. Section 1106 of the Social Security Act is amended by adding at the end thereof the following new subsection: 64 Stat. 559. 42 USC 1306.

"(c)(1) Upon request (filed in accordance with paragraph (2) of this subsection) of any State or local agency participating in administration of the State plan approved under title I, IV, X, XIV, XVI, or XIX, or participating in the administration of any other State or local public assistance program, for the most recent address of any individual included in the files of the Department of Health, Education, and Welfare maintained pursuant to section 205, the Secretary shall furnish such address, or the address of the most recent employer, or both, if such agency certifies that— 42 USC 301 *et seq.* 53 Stat. 1368. 42 USC 405.

"(A) an order has been issued by a court of competent jurisdiction against such individual for the support and maintenance of his child or children who are under the age of 16 in destitute or necessitous circumstances,

"(B) such child or children are applicants for or recipients of assistance available under such a plan or program,

"(C) such agency has attempted without success to secure such information from all other sources reasonably available to it, and

"(D) such information is requested (for its own use, or on the request and for the use of the court which issued the order) for the purpose of obtaining such support and maintenance.

"(2) A request under paragraph (1) shall be filed in such manner and form as the Secretary may prescribe, and shall be accompanied by a certified copy of the order referred to in paragraph (1)(A).

"(3) The penalties provided in the second sentence of subsection (a) shall apply with respect to use of information provided under paragraph (1) of this subsection except for the purpose authorized by subparagraph (D) thereof.

"(4) The Secretary, in such cases and to such extent as he may prescribe in accordance with regulations, may require payment for the cost of information provided under paragraph (1); and the provisions of the second sentence of subsection (b) shall apply also with respect to payment under this paragraph."

ADDITIONAL PERIOD FOR FILING MINISTERS CERTIFICATES

SEC. 341. (a) Clause (B) of section 1402(e)(2) of the Internal Revenue Code of 1954 (relating to time for filing waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out "his second taxable year ending after 1962" and inserting in lieu thereof "his second taxable year ending after 1963". 71 Stat. 521; 78 Stat. 1076. 26 USC 1402.

(b) Section 1402(e)(3) of such Code (relating to effective date of certificate) is amended by adding at the end thereof the following new subparagraph: 74 Stat. 926; 78 Stat. 1077.

"(D) Notwithstanding the first sentence of subparagraph (A), if an individual files a certificate after the date of the enactment of this subparagraph and on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1963, such certificate shall be effective for his first taxable year ending after 1962 and all succeeding years."

(c) The amendments made by subsections (a) and (b) shall be applicable only with respect to certificates filed pursuant to section 1402 (e) of the Internal Revenue Code of 1954 after the date of the enactment of this Act; except that no monthly benefits under title II of the Social Security Act for the month in which this Act is enacted or any prior month shall be payable or increased by reason of such amendments.

26 USC 1402

42 USC 401.

RECTIFYING ERROR IN INTERPRETING LAW WITH RESPECT TO CERTAIN SCHOOL EMPLOYEES IN ALASKA

SEC. 342. For purposes of the agreement under section 218 of the Social Security Act entered into by the State of Alaska, or its predecessor the Territory of Alaska, where employees of an integral unit of a political subdivision of the State or Territory of Alaska have in good faith been included under the State or Territory's agreement as a coverage group on the basis that such integral unit of a political subdivision was a political subdivision, then such unit of the political subdivision shall, for purposes of section 218(b)(2) of such Act, be deemed to be a political subdivision, and employees performing services within such unit shall be deemed to be a coverage group, effective with the effective date specified in such agreement or modification of such agreement with respect to such coverage group and ending with the last day of the year in which this Act is enacted.

64 Stat. 514.
42 USC 418.

CONTINUATION OF CHILD'S INSURANCE BENEFITS AFTER ADOPTION BY BROTHER OR SISTER

SEC. 343. (a) Section 202(d)(1)(D) of the Social Security Act (as amended by section 306(b) of this Act) is further amended by striking out "or uncle" and inserting in lieu thereof "uncle, brother, or sister".

Ante, p. 371.

(b) The amendment made by subsection (a) shall apply only with respect to monthly insurance benefits under title II of the Social Security 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 child's insurance benefits under section 202(d) 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.

64 Stat. 482;
Ante, pp. 370, 397.
42 USC 402.

DISABILITY INSURANCE BENEFITS FOR THE BLIND; SPECIAL PROVISIONS

SEC. 344. (a) Section 216(i)(3) of the Social Security Act (as amended by section 303 of this Act) is further amended by striking out subparagraph (B) and all that follows and inserting in lieu thereof the following:

Ante, p. 367.

"(B)(i) he had not less than 20 quarters of coverage during the 40-quarter period which ends with such quarter, or

"(ii) if such quarter ends before he attains (or would attain) age 31 and he is under a disability by reason of blindness (as

defined in paragraph (1)), not less than one-half (and not less than 6) of the quarters during the period ending with such quarter and beginning after he attained the age of 21 were quarters of coverage, or (if the number of quarters in such period is less than 12) not less than 6 of the quarters in the 12-quarter period ending with such quarter were quarters of coverage;

except that the provisions of subparagraph (A) of this paragraph shall not apply in the case of an individual with respect to whom a period of disability would, but for such subparagraph, begin before 1951. For purposes of subparagraph (B) of this paragraph, when the number of quarters in any period is an odd number, such number shall be reduced by one, and a quarter shall not be counted as part of any period if any part of such quarter was included in a prior period of disability unless such quarter was a quarter of coverage."

(b) Section 223(c)(1) of such Act is amended by striking out subparagraph (B) and inserting in lieu thereof the following: 70 Stat. 815. 42 USC 423.

"(B)(i) he had not less than 20 quarters of coverage during the 40-quarter period which ends with the quarter in which such month occurred, or

"(ii) if such month ends before he attains (or would attain) age 31 and he is under a disability by reason of blindness (as defined in section 216(i)(1)), not less than one-half (and not less than 6) of the quarters during the period ending with the quarter in which such month occurred and beginning after he attained the age of 21 were quarters of coverage, or (if the number of quarters in such period is less than 12) not less than 6 of the quarters in the 12-quarter period ending with such quarter were quarters of coverage. 68 Stat. 1080. 42 USC 416.

For purposes of subparagraph (B) of this paragraph, when the number of quarters in any period is an odd number, such number shall be reduced by one, and a quarter shall not be counted as part of any period if any part of such quarter was included in a period of disability unless such quarter was a quarter of coverage."

(c) Section 223(a)(1) of such Act (as amended by section 303 of this Act) is further amended by adding the following sentence at the end thereof: "No payment under this paragraph may be made to an individual who would not meet the definition of disability in subsection (c)(2) except for subparagraph (B) thereof for any month in which he engages in substantial gainful activity, and no payment may be made for such month under subsection (b), (c), or (d) of section 202 to any person on the basis of the wages and self-employment income of such individual." *Ante*, p. 367. *Ante*, pp. 370, 375, 397; 64 Stat. 482. 42 USC 402.

(d) The first sentence of section 223(c)(2) of such Act (as amended by section 303 of this Act) is further amended by adding after subparagraph (A) the following new subparagraph:

"(B) in the case of an individual who has attained the age of 55 and is blind (within the meaning of 'blindness' as defined in section 216(i)(1)), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time."

(e) The amendments made by this section shall apply only with respect to monthly benefits under title II of the Social Security Act for months after the first month following the month in which this Act is enacted, on the basis of applications for such benefits filed in or after the month in which this Act is enacted. 42 USC 401.

TITLE IV—PUBLIC ASSISTANCE AMENDMENTS

INCREASED FEDERAL PAYMENTS UNDER PUBLIC ASSISTANCE TITLES OF THE SOCIAL SECURITY ACT

76 Stat. 193.
42 USC 303.

SEC. 401. (a) Section 3(a)(1) of the Social Security Act is amended (1) by striking out, in so much thereof as precedes clause (A), "during such quarter" and inserting in lieu thereof "during each month of such quarter"; (2) by striking out, in clause (A), "29/35", "any month", and "$35" and inserting in lieu thereof "31/37", "such month", and "$37", respectively; and (3) by striking out clauses (B) and (C) and inserting in lieu thereof the following:

"(B) the larger of the following:

72 Stat. 1050.
42 USC 1301.

"(i)(I) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the amount which may be counted under clause (A), not counting so much of such excess with respect to such month as exceeds the product of $38 multiplied by the total number of recipients of old-age assistance for such month, plus (II) 15 per centum of the total expended during such month as old-age assistance under the State plan in the form of medical or any other type of remedial care, not counting so much of such expenditure with respect to such month as exceeds the product of $15 multiplied by the total number of recipients of old-age assistance for such month, or

74 Stat. 991.
42 USC 306.

"(ii)(I) the Federal medical percentage (as defined in section 6(c)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditures with respect to such month as exceeds (a) the product of $52 multiplied by the total number of such recipients of old-age assistance for such month, or (b) if smaller, the total expended as old-age assistance in the form of medical or any other type of remedial care with respect to such month plus the product of $37 multiplied by such total number of such recipients, plus (II) the Federal percentage of the amount by which the total expended during such month as old-age assistance under the State plan exceeds the amount which may be counted under clause (A) and the preceding provisions of this clause (B)(ii), not counting so much of such excess with respect to such month as exceeds the product of $38 multiplied by the total number of such recipients of old-age assistance for such month;".

76 Stat. 200.
42 USC 1383.

(b) Section 1603(a)(1) of such Act is amended (1) by striking out, in so much thereof as precedes clause (A), "during such quarter" and inserting in lieu thereof "during each month of such quarter"; (2) by striking out, in clause (A), "29/35", "any month", and "$35" and inserting in lieu thereof "31/37", "such month", and "$37", respectively; and (3) by striking out clauses (B) and (C) and inserting in lieu thereof the following:

"(B) the larger of the following:

"(i)(I) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the amount which may be counted under clause (A), not counting so much of such excess with respect to such month as exceeds the product of $38 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month, plus (II) 15 per centum of the total expended during such month as aid to the aged, blind, or disabled under

the State plan in the form of medical or any other type of remedial care, not counting so much of such expenditure with respect to such month as exceeds the product of $15 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month, or

"(ii)(I) the Federal medical percentage (as defined in section 6(c)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditures with respect to such month as exceeds (a) the product of $52 multiplied by the total number of such recipients of aid to the aged, blind, or disabled for such month, or (b) if smaller, the total expended as aid to the aged, blind, or disabled in the form of medical or any other type of remedial care with respect to such month plus the product of $37 multiplied by such total number of such recipients, plus (II) the Federal percentage of the amount by which the total expended during such month as aid to the aged, blind, or disabled under the State plan exceeds the amount which may be counted under clause (A) and the preceding provisions of this clause (B)(ii), not counting so much of such excess with respect to such month as exceeds the product of $38 multiplied by the total number of such recipients of aid to the aged, blind, or disabled for such month;". 74 Stat. 991. 42 USC 306.

(c) Section 403(a)(1) of such Act is amended (1) by striking out "fourteen-seventeenths" and "$17" in clause (A) and inserting in lieu thereof "five-sixths" and "$18", respectively; and (2) by striking out "$30" in clause (B) and inserting in lieu thereof "$32". 76 Stat. 174. 42 USC 603.

(d) Section 1003(a)(1) of such Act is amended (1) by striking out, in clause (A), "29/35" and "$35" and inserting in lieu thereof "31/37" and "$37", respectively; and (2) by striking out, in clause (B), "$70" and inserting in lieu thereof "$75". 42 USC 1203.

(e) Section 1403(a)(1) of such Act is amended (1) by striking out, in clause (A), "29/35" and "$35" and inserting in lieu thereof "31/37" and "$37", respectively; and (2) by striking out, in clause (B), "$70" and inserting in lieu thereof "$75". 42 USC 1353.

(f) The amendments made by this section shall apply in the case of expenditures made after December 31, 1965, under a State plan approved under title I, IV, X, XIV, or XVI of the Social Security Act. 42 USC 301, 601, 1201, 1351, 1381.

PROTECTIVE PAYMENTS

SEC. 402. (a) Section 6(a) of the Social Security Act (as amended by section 221 of this Act) is amended by adding at the end thereof the following new sentence: "Such term also includes payments which are not included within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 2 includes provision for— *Ante*, p. 356. 42 USC 302.

"(1) determination by the State agency that such needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such assistance through payments described in this sentence;

"(2) making such payments only in cases in which such payments will, under the rules otherwise applicable under the State plan for determining need and the amount of old-age assistance to be paid (and in conjunction with other income and resources), meet all the need of the individuals with respect to whom such payments are made;

"(3) undertaking and continuing special efforts to protect the welfare of such individual and to improve, to the extent possible, his capacity for self-care and to manage funds;

"(4) periodic review by such State agency of the determination under paragraph (1) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that such action will best serve the interests of such needy individual; and

72 Stat. 1052.
42 USC 1311.

"(5) opportunity for a fair hearing before the State agency on the determination referred to in paragraph (1) for any individual with respect to whom it is made."

(b) Section 1605(a) of such Act (as amended by section 221 of this Act) is amended by adding at the end thereof (after and below paragraph (2)) the following new sentence:

Ante, p. 358.

"Such term also includes payments which are not included within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 1602 includes provision for—

76 Stat. 198.
42 USC 1382.

"(A) determination by the State agency that such needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such aid through payments described in this sentence;

"(B) making such payments only in cases in which such payments will, under the rules otherwise applicable under the State plan for determining need and the amount of aid to the aged, blind, or disabled to be paid (and in conjunction with other income and resources), meet all the need of the individuals with respect to whom such payments are made;

"(C) undertaking and continuing special efforts to protect the welfare of such individual and to improve, to the extent possible, his capacity for self-care and to manage funds;

"(D) periodic review by such State agency of the determination under clause (A) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that such action will best serve the interests of such needy individual; and

"(E) opportunity for a fair hearing before the State agency on the determination referred to in clause (A) for any individual with respect to whom it is made."

(c) Section 1006 of the Social Security Act (as amended by section 221 of this Act) is amended by adding at the end thereof the following new sentence: "Such term also includes payments which are not in-

Ante, p. 358.

cluded within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 1002 includes provision for— 49 Stat. 645. 42 USC 1202.

"(1) determination by the State agency that such needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such aid through payments described in this sentence;

"(2) making such payments only in cases in which such payments will, under the rules otherwise applicable under the State plan for determining need and the amount of aid to the blind to be paid (and in conjunction with other income and resources), meet all the need of the individuals with respect to whom such payments are made;

"(3) undertaking and continuing special efforts to protect the welfare of such individual and to improve, to the extent possible, his capacity for self-care and to manage funds;

"(4) periodic review by such State agency of the determination under paragraph (1) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that such action will best serve the interests of such needy individual; and 72 Stat. 1052. 42 USC 1311.

"(5) opportunity for a fair hearing before the State agency on the determination referred to in paragraph (1) for any individual with respect to whom it is made."

(d) Section 1405 of the Social Security Act (as amended by section 221 of this Act) is amended by adding at the end thereof the following new sentence: "Such term also includes payments which are not included within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 1402 includes provision for— *Ante*, p. 358. 64 Stat. 555. 42 USC 1352.

"(1) determination by the State agency that such needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such aid through payments described in this sentence;

"(2) making such payments only in cases in which such payments will, under the rules otherwise applicable under the State plan for determining need and the amount of aid to the permanently and totally disabled to be paid (and in conjunction with other income and resources), meet all the need of the individuals with respect to whom such payments are made;

"(3) undertaking and continuing special efforts to protect the welfare of such individual and to improve, to the extent possible, his capacity for self-care and to manage funds;

"(4) periodic review by such State agency of the determination under paragraph (1) to ascertain whether conditions justifying

such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that such action will best serve the interests of such needy individual; and

72 Stat. 1052.
42 USC 1311.

"(5) opportunity for a fair hearing before the State agency on the determination referred to in paragraph (1) for any individual with respect to whom it is made."

(e) The amendments made by this section shall apply in the case of expenditures made after December 31, 1965, under a State plan approved under title I, X, XIV, or XVI of the Social Security Act.

42 USC 301, 1201, 1351, 1381.

DISREGARDING CERTAIN EARNINGS IN DETERMINING NEED UNDER ASSISTANCE PROGRAMS FOR THE AGED, BLIND, AND DISABLED

SEC. 403. (a) Effective October 1, 1965, section 2(a)(10)(A) of the Social Security Act is amended by striking out "; except that, in making such determination, of the first $50 per month of earned income the State agency may disregard, after December 31, 1962, not more than the first $10 thereof plus one-half of the remainder" and inserting in lieu thereof the following: "; except that, in making such determination, (i) the State agency may disregard not more than $5 per month of any income and (ii) of the first $80 per month of additional income which is earned the State agency may disregard not more than the first $20 thereof plus one-half of the remainder".

74 Stat. 988.
42 USC 302.

(b) Effective October 1, 1965, section 402(a)(7) of the Social Security Act (as amended by section 410 of this Act) is further amended by inserting before the semicolon at the end thereof the following: ", and (C) the State agency may, before disregarding the amounts referred to in clauses (A) and (B), disregard not more than $5 of any income".

Post, p. 423.

(c) Effective October 1, 1965, section 1002(a)(8) of the Social Security Act is amended by inserting before the semicolon at the end thereof the following: ", and (C) may, before disregarding the amounts referred to in clauses (A) and (B), disregard not more than $5 of any income".

78 Stat. 1078.
42 USC 1202.

(d) Effective October 1, 1965, section 1402(a)(8) of such Act is amended by inserting after the semicolon at the end thereof the following: "except that, in making such determination, (A) the State agency may disregard not more than $5 of any income, (B) of the first $80 per month of additional income which is earned the State agency may disregard not more than the first $20 thereof plus one-half of the remainder, and (C) the State agency may, for a period not in excess of 36 months, disregard such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan, but only with respect to the part or parts of such period during substantially all of which he is actually undergoing vocational rehabilitation;".

64 Stat. 555.
42 USC 1352.

(e) Effective October 1, 1965, section 1602(a)(14) of such Act is amended to read as follows:

78 Stat. 1078.
42 USC 1382.

"(14) provide that the State agency shall, in determining need for aid to the aged, blind, or disabled, take into consideration any other income and resources of an individual claiming such aid, as well as any expenses reasonably attributable to the earning of any such income; except that, in making such determination with respect to any individual—

"(A) if such individual is blind, the State agency (i) shall disregard the first $85 per month of earned income plus one-half of earned income in excess of $85 per month, and (ii) shall, for a period not in excess of 12 months, and may, for a period not in excess of 36 months, disregard such additional amounts of other income and resources, in the case of any such individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan,

"(B) if such individual is not blind but is permanently and totally disabled, (i) of the first $80 per month of earned income, the State agency may disregard not more than the first $20 thereof plus one-half of the remainder, and (ii) the State agency may, for a period not in excess of 36 months, disregard such additional amounts of other income and resources, in the case of any such individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan, but only with respect to the part or parts of such period during substantially all of which he is actually undergoing vocational rehabilitation,

"(C) if such individual has attained age 65 and is neither blind nor permanently and totally disabled, of the first $80 per month of earned income the State agency may disregard not more than the first $20 thereof plus one-half of the remainder, and

"(D) the State agency may, before disregarding the amounts referred to above in this paragraph (14), disregard not more than $5 of any income; and".

ADMINISTRATIVE AND JUDICIAL REVIEW OF PUBLIC ASSISTANCE DETERMINATIONS

SEC. 404. (a) Title XI of the Social Security Act is amended by adding at the end thereof the following new section: 42 USC 1301.

"ADMINISTRATIVE AND JUDICIAL REVIEW OF CERTAIN ADMINISTRATIVE DETERMINATIONS

"SEC. 1116. (a)(1) Whenever a State plan is submitted to the Secretary by a State for approval under title I, IV, X, XIV, XVI, or XIX, he shall, not later than 90 days after the date the plan is submitted to him, make a determination as to whether it conforms to the requirements for approval under such title. The 90-day period provided herein may be extended by written agreement of the Secretary and the affected State. 42 USC 301, 601, 1201, 1351, 1381. *Ante*, p. 343.

"(2) Any State dissatisfied with a determination of the Secretary under paragraph (1) with respect to any plan may, within 60 days after it has been notified of such determination, file a petition with the Secretary for reconsideration of the issue of whether such plan conforms to the requirements for approval under such title. Within 30 days after receipt of such a petition, the Secretary shall notify the State of the time and place at which a hearing will be held for the purpose of reconsidering such issue. Such hearing shall be held not less than 20 days nor more than 60 days after the date notice of such hearing is furnished to such State, unless the Secretary and such

State agree in writing to holding the hearing at another time. The Secretary shall affirm, modify, or reverse his original determination within 60 days of the conclusion of the hearing.

"(3) Any State which is dissatisfied with a final determination made by the Secretary on such a reconsideration or a final determination of the Secretary under section 4, 404, 1004, 1404, 1604, or 1904 may, within 60 days after it has been notified of such determination, file with the United States court of appeals for the circuit in which such State is located a petition for review of such determination. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his determination as provided in section 2112 of title 28, United States Code.

72 Stat. 941.

"(4) 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 transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(5) 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.

62 Stat. 928.

"(b) For the purposes of subsection (a), any amendment of a State plan approved under title I, IV, X, XIV, XVI, or XIX may, at the option of the State, be treated as the submission of a new State plan.

42 USC 301, 601, 1201, 1351, 1381.
Ante, p. 343.

"(c) Action pursuant to an initial determination of the Secretary described in subsection (a) shall not be stayed pending reconsideration, but in the event that the Secretary subsequently determines that his initial determination was incorrect he shall certify restitution forthwith in a lump sum of any funds incorrectly withheld or otherwise denied.

"(d) Whenever the Secretary determines that any item or class of items on account of which Federal financial participation is claimed under title I, IV, X, XIV, XVI, or XIX shall be disallowed for such participation, the State shall be entitled to and upon request shall receive a reconsideration of the disallowance."

(b) The amendment made by subsection (a) shall apply only with respect to determinations made after December 31, 1965.

MAINTENANCE OF STATE PUBLIC ASSISTANCE EXPENDITURES

42 USC 1301.

SEC. 405. Title XI of the Social Security Act is amended by adding at the end thereof (after the new section 1116 added by section 404 of this Act) the following new section:

Ante, p. 419.

"MAINTENANCE OF STATE EFFORT

"SEC. 1117. (a) The total of the amounts determined under sections 3, 403, 1003, 1403, 1603, and 1903 for any State for any quarter beginning after December 31, 1965, and ending before July 1, 1969, shall be reduced to the extent that—

"(1) the excess of (A) the total of the amounts determined for the State under sections 3, 403, 1003, 1403, 1603, and 1903 for such quarter over (B) the total of the amounts determined for

the State under sections 3, 403, 1003, 1403, and 1603 for the same quarter of the fiscal year ending June 30, 1965, is greater than

"(2) the excess of (A) the total of the expenditures for such quarter (for which the determination is being made) under the plans of the State approved under titles I, IV, X, XIV, XVI, and XIX over (B) the total of the expenditures under the State plans of the State approved under titles I, IV, X, XIV, and XVI for the same quarter of the fiscal year ending June 30, 1965;

42 USC 301, 601, 1201, 1351, 1381.
Ante, p. 343.

except that, at the option of the State, any of the following may be substituted (with respect to the quarters of any fiscal year) for the amount determined as provided in paragraph (1)(B)—

"(3) the total of the amounts determined for the State under sections 3, 403, 1003, 1403, and 1603 for the same quarter in the fiscal year ending June 30, 1964; or

"(4) the average of the totals determined for the State under sections 3, 403, 1003, 1403, and 1603 for each quarter in the fiscal year ending June 30, 1964, or June 30, 1965.

If the substitution of the total referred to in paragraph (3) is chosen by the State, there shall be substituted for the amount determined under clause (B) of paragraph (2) the total of the expenditures under the plans of the State approved under titles I, IV, X, XIV, and XVI for the quarter referred to in such paragraph (3). If the substitution of the average for either of the years referred to in paragraph (4) is chosen by the State, there shall be substituted for the amount determined under clause (B) of paragraph (2) the average of the total expenditures under the plans of the State approved under titles I, IV, X, XIV, and XVI for each quarter in the same fiscal year.

"(b) For purposes of this section, expenditures under the plans of any State approved under titles I, IV, X, XIV, XVI, and XIX and the reduction determined with respect thereto under this section, shall be determined on the basis of data furnished by the State in the quarterly reports submitted by the State to the Secretary pursuant to and in accordance with the requirements of the Secretary under title I, IV, X, XIV, XVI, or XIX; and determinations so made shall be conclusive for purposes of this section.

"(c) If a reduction is required under the preceding provisions of this section in the total of the amounts determined for a State under sections 3, 403, 1003, 1403, 1603, and 1903 for any quarter, the Secretary shall determine which of such amounts shall be reduced and the extent thereof in such manner as in his judgment will best carry out the purpose of maintaining State effort under the Federal-State public assistance programs of the State, and with the total of such reductions to be equal to the reduction required under subsections (a) and (b) of this section."

DISREGARDING OASDI BENEFIT INCREASE, AND CHILD'S INSURANCE BENEFIT PAYMENTS BEYOND AGE 18, TO THE EXTENT ATTRIBUTABLE TO RETROACTIVE EFFECTIVE DATE

SEC. 406. Notwithstanding the provisions of sections 2(a) (10) and (11)(D), 402(a)(7), 1002(a)(8), 1402(a)(8), and 1602(a)(13) and (14) of the Social Security Act, a State may disregard, in determining need for aid or assistance under a State plan approved under title I, IV, X, XIV, or XVI of such Act, any amount paid to any individual under title II of such Act (or under the Railroad Retirement

74 Stat. 988; *Post*, p. 423; 78 Stat. 1078; 71 Stat. 523; 76 Stat. 199.
42 USC 401.

Ante, p. 400.

Act of 1937 by reason of section 326(a) of this Act), for any one or more months which occur after December 1964 and before the third month following the month in which this Act is enacted, to the extent that such payment is attributable—

(1) to the increase in monthly insurance benefits under the old-age, survivors, and disability insurance system resulting from the enactment of section 301 of this Act, or

Ante, p. 361.

(2) to the payment of child's insurance benefits under such system after attainment of age 18, in the case of individuals attending school, resulting from the enactment of section 306 of this Act.

Ante, p. 370.

EXTENSION OF GRACE PERIOD FOR DISREGARDING CERTAIN INCOME FOR STATES WHERE LEGISLATURE HAS NOT MET IN REGULAR SESSION

78 Stat. 534.
42 USC 2981.
42 USC 301, 601, 1201, 1351, 1381.
Ante, p. 343.

SEC. 407. Notwithstanding the provisions of section 701 of the Economic Opportunity Act of 1964, no funds to which a State is otherwise entitled under title I, IV, X, XIV, XVI, or XIX of the Social Security Act for any period before the first month beginning after the adjournment of a State's first regular legislative session which adjourns after August 20, 1964 (the date of enactment of the Economic Opportunity Act of 1964), 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 such section 701.

TECHNICAL AMENDMENTS RELATING TO PUBLIC ASSISTANCE PROGRAMS

76 Stat. 206.
42 USC 1308.
42 USC 303.
42 USC 1383.

SEC. 408. (a) Section 1108 of the Social Security Act is amended—

(1) by striking out "$9,800,000, of which $625,000 may be used only for payments certified with respect to section 3(a)(2)(B) or 1603(a)(2)(B)" and inserting in lieu thereof "$9,800,000";

(2) by striking out "$330,000, of which $18,750 may be used only for payments certified with respect to section 3(a)(2)(B) or 1603(a)(2)(B)" and inserting in lieu thereof "$330,000"; and

(3) by striking out "$450,000, of which $25,000 may be used only for payments certified with respect to section 3(a)(2)(B) or 1603(a)(2)(B)" and inserting in lieu thereof "$450,000".

(b) The amendments made by subsection (a) shall be effective in the case of Puerto Rico, the Virgin Islands, or Guam with respect to fiscal years beginning on or after the date on which its plan under title XIX of the Social Security Act is approved.

Ante, p. 343.
74 Stat. 995.
42 USC 1312.

(c)(1) Section 1112 of such Act is amended by striking out "for the aged".

(2) The heading of section 1112 of such Act is amended by striking out "FOR THE AGED".

ELIGIBILITY OF CHILDREN OVER AGE 18 ATTENDING SCHOOL

78 Stat. 1042.
42 USC 606.

SEC. 409. Clause (2)(B) of section 406(a) of the Social Security Act is amended by striking out "(as determined in accordance with standards prescribed by the Secretary) a student regularly attending a high school in pursuance of a course of study leading to a high school diploma or its equivalent," and inserting in lieu thereof "(as determined by the State in accordance with standards prescribed by the Secretary) a student regularly attending a school, college, or university,".

DISREGARDING CERTAIN EARNINGS IN DETERMINING NEED OF CERTAIN DEPENDENT CHILDREN

SEC. 410. Effective July 1, 1965, so much of clause (7) of section 402(a) of the Social Security Act as follows the first semicolon is amended by inserting after "except that, in making such determination," the following: "(A) the State agency may disregard not more than $50 per month of earned income of each dependent child under the age of 18 but not in excess of $150 per month of earned income of such dependent children in the same home, (B)".

76 Stat. 188; *Ante*, p. 418. 42 USC 602.

FEDERAL SHARE OF PUBLIC ASSISTANCE EXPENDITURES

SEC. 411. Title XI of the Social Security Act is amended by adding at the end thereof (after section 1117, added by section 405 of this Act), the following new section:

42 USC 1301. *Ante*, p. 420.

"ALTERNATIVE FEDERAL PAYMENT WITH RESPECT TO PUBLIC ASSISTANCE EXPENDITURES

"SEC. 1118. In the case of any State which has in effect a plan approved under title XIX for any calendar quarter, the total of the payments to which such State is entitled for such quarter, and for each succeeding quarter in the same fiscal year (which for purposes of this section means the 4 calendar quarters ending with June 30), under paragraphs (1) and (2) of sections 3(a), 403(a), 1003(a), 1403(a), and 1603(a) shall, at the option of the State, be determined by application of the Federal medical assistance percentage (as defined in section 1905), instead of the percentages provided under each such section, to the expenditures under its State plans approved under titles I, IV, X, XIV, and XVI, which would be included in determining the amounts of the Federal payments to which such State is entitled under such sections, but without regard to any maximum on the dollar amounts per recipient which may be counted under such sections."

Ante, p. 343. *Ante*, p. 351. 42 USC 301, 601, 1201, 1351, 1381.

Approved July 30, 1965, 5:19 p.m.

Public Law 89-98

AN ACT

July 30, 1965 [H. R. 8721]

To amend the Revised Organic Act of the Virgin Islands to provide for the payment of legislative salaries and expenses by the government of the Virgin Islands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 6 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 499), as amended (73 Stat. 568; 48 U.S.C. 1572(e)), is further amended to read as follows:

Virgin Islands. Legislators, salaries and expenses.

"(e) Each member of the legislature shall be paid such compensation and shall receive such additional allowances or benefits as may be fixed under the laws of the Virgin Islands. Such compensation, allowances, or benefits, together with all other legislative expenses, shall be appropriated by, and paid out of funds of, the government of the Virgin Islands."

Approved July 30, 1965.

Public Law 89-99

July 30, 1965
[S. 627]

AN ACT

To exempt oceanographic research vessels from the application of certain vessel inspection laws, and for other purposes.

Vessels, Inspection.

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—

"Oceanographic research vessel."

(1) the term "oceanographic research vessel" means a vessel which the Secretary of the department in which the Coast Guard is operating finds is being employed exclusively in instruction in oceanography or limnology, or both, or exclusively in oceanographic research, including, but not limited to, such studies pertaining to the sea as seismic, gravity meter and magnetic exploration and other marine geophysical or geological surveys, atmospheric research, and biological research;

"Scientific personnel."

(2) the term "scientific personnel" means persons who are aboard a vessel solely for the purpose of engaging in scientific research, instructing, or receiving instruction, in oceanography or limnology.

SEC. 2. An oceanographic research vessel shall not be considered a passenger vessel, a vessel carrying passengers, or a passenger-carrying vessel under the provisions of the laws relating to the inspection and manning of merchant vessels by reason of the carriage of scientific personnel.

SEC. 3. An oceanographic research vessel shall not be deemed to be engaged in trade or commerce.

SEC. 4. Scientific personnel on an oceanographic research vessel shall not be considered seamen under the provisions of title 53 of the Revised Statutes and Act amendatory thereof or supplementary thereto.

46 USC 543 note.

SEC. 5. If the Secretary of the department in which the Coast Guard is operating determines that the application to any oceanographic research vessel of any provision of title 52 or title 53 of the Revised Statutes, or Acts amendatory thereof or supplementary thereto, is not necessary in the performance of the mission of the vessel, he may by regulation exempt any such vessel from such provision, upon such terms and conditions as he may specify.

46 USC 170 note.

Approved July 30, 1965.

Public Law 89-100

July 30, 1965
[H. R. 8720]

AN ACT

To amend the Organic Act of Guam to provide for the payment of legislative salaries and expenses by the government of Guam.

Guam. Legislators, salaries and expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 26 of the Organic Act of Guam (64 Stat. 384, 391; 48 U.S.C. 1421d(e)), is amended to read as follows:

"(e) Each member of the legislature shall be paid such compensation and shall receive such additional allowances or benefits as may be fixed under the laws of Guam. Such compensation, allowances, or benefits, together with all other legislative expenses shall be appropriated by, and paid out of funds of, the government of Guam."

Approved July 30, 1965.

Public Law 89-101

AN ACT

July 30, 1965
[H. R. 8484]

To amend section 2634 of title 10, United States Code, relating to the transportation of privately owned motor vehicles of members of the armed forces on a change of permanent station.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 157 of title 10, United States Code, is amended as follows:

Armed Forces.
Privately owned motor vehicles, transportation.
78 Stat. 439.

(1) By amending section 2634 to read as follows:

"§ 2634. Motor vehicles; for members on change of permanent station

"(a) When a member of an armed force is ordered to make a change of permanent station, one motor vehicle owned by him and for his personal use or the use of his dependents may, unless a motor vehicle owned by him was transported in advance of that change of permanent station under section 406(h) of title 37, be transported, at the expense of the United States, to his new station or such other place as the Secretary concerned may authorize—

"(1) on a vessel owned, leased, or chartered by the United States;

"(2) by privately owned American shipping services; or

"(3) by foreign-flag shipping services if shipping services described in clauses (1) and (2) are not reasonably available.

When the Secretary concerned, or his designee, determines that a replacement for that motor vehicle is necessary for reasons beyond the control of the member and is in the interest of the United States, and he approves the transportation in advance, one additional motor vehicle of the member may be so transported.

"(b) In this section, 'change of permanent station' means the transfer or assignment of a member of the armed forces from one permanent station to another. It includes the change from home or from the place from which ordered to active duty to first station upon appointment, call to active duty, enlistment, or induction, and from last duty station to home or to the place from which ordered to active duty upon separation from the service, placement upon the temporary disability retired list, release from active duty, or retirement. It also includes an authorized change in home yard or home port of a vessel."

"Change of permanent station."

(2) By striking out of the analysis:

"2634. Motor vehicles: for members on permanent change of station."

and inserting in place thereof:

"2634. Motor vehicles: for members on change of permanent station."

SEC. 2. Section 406(h)(2) of title 37, United States Code, is amended to read as follows:

"(2) authorize the transportation of one motor vehicle owned by the member and for his or his dependents' personal use to that location by means of transportation authorized under section 2634 of title 10."

SEC. 3. This Act shall be effective May 1, 1965. Any member who—

Effective date.

(1) transported a motor vehicle at his personal expense after April 30, 1965, and before the enactment of this Act; and

(2) would have been entitled to the transportation of such motor vehicle at Government expense under the provisions of this Act;

Reimbursement.

shall be reimbursed for the allowable transportation cost actually expended by him. Appropriations available for permanent change of station travel shall be available for the reimbursements authorized by this Act.

Approved July 30, 1965.

Public Law 89-102

July 30, 1965
[S. 26]

AN ACT

To authorize the Secretary of the Interior to acquire lands for, and to develop, operate, and maintain, the Golden Spike National Historic Site.

Golden Spike National Historic Site, Utah.
Establishment.

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 acquire on behalf of the United States by gift, purchase, condemnation, or otherwise, such lands and interest in land, together with any improvements thereon, as the Secretary may deem necessary for the purpose of establishing a national historic site commemorating the completion of the first transcontinental railroad across the United States on the site described on a map entitled "Proposed Golden Spike National Historic Site, Utah", prepared by the National Park Service, Southwest Region, dated February 1963. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the area depicted on such drawing, and in exchange therefor he may convey to the grantor of such property any federally owned property in the State of Utah under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value, but the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

Designation, administration, etc.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be designated as the "Golden Spike National Historic Site" and shall be set aside as a public national memorial. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such 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. 525), 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), as amended.

39 Stat. 535.
16 USC 1.

16 USC 461.

Markers, other improvements, construction.

(b) In order to provide for the proper development and maintenance of such national historic site, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

Appropriation, limitation.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $1,168,000, as may be necessary for the acquisition of land and interests in land and for the development of the Golden Spike National Historic Site pursuant to this Act.

Approved July 30, 1965.

Public Law 89-103

JOINT RESOLUTION

August 3, 1965
[S. J. Res. 83]

To authorize the President to issue a proclamation commemorating the one hundred and seventy-fifth anniversary, on August 4, 1965, of the founding of the United States Coast Guard at Newburyport, Massachusetts.

U.S. Coast Guard 175th anniversary.

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 commemorating the one hundred and seventy-fifth anniversary, on August 4, 1965, of the founding of the United States Coast Guard at Newburyport, Massachusetts, a service which for the past century and three-quarters has been dedicated to humanity through the saving of life and property at sea, and calling upon the people of the United States to observe such anniversary with appropriate ceremonies and activities.

Approved August 3, 1965.

Public Law 89-104

AN ACT

August 3, 1965
[H. R. 8862]

To amend the Act of August 7, 1935, to increase the authorized annual share of the United States as an adhering member of the International Council of Scientific Unions and Associated Unions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Act of August 7, 1935 (22 U.S.C. 274), is amended by striking out "$65,000" and inserting in lieu thereof "$100,000".

49 Stat. 540; 72 Stat. 574.

Approved August 3, 1965.

Public Law 89-105

AN ACT

August 4, 1965
[H. R. 2985]

To authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers, 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 "Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965".

Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965.

SEC. 2. (a) The Mental Retardation Facilities and Community Mental Health Centers Construction Act is amended (1) by amending the heading of title II thereof to read "TITLE II—COMMUNITY MENTAL HEALTH CENTERS", (2) by inserting immediately below section 200 of such Act "PART A—GRANTS FOR CONSTRUCTION", (3) by striking out "this title" each place where it appears in sections 201 through 207 of such Act and inserting in lieu thereof "this part", and (4) by striking out "title II" each place where it appears in titles I and IV of such Act and inserting in lieu thereof "part A of title II".

77 Stat. 282.
42 USC 2661 note.
42 USC 2681 *et seq.*
42 USC 2691 *et seq.*

(b) Such Act is further amended by adding at the end of title II the following new part:

"PART B—GRANTS FOR INITIAL COST OF PROFESSIONAL AND TECHNICAL PERSONNEL OF CENTERS

"AUTHORIZATION, DURATION, AND AMOUNT OF GRANTS

"SEC. 220. (a) For the purpose of assisting in the establishment and initial operation of community mental health centers providing all or part of a comprehensive community mental health program, the Secretary may, in accordance with the provisions of this part, make grants to meet, for the temporary periods specified in this section, a portion of the costs (determined pursuant to regulations under section 223) of compensation of professional and technical personnel for the initial operation of new community mental health centers or of new services in community mental health centers.

"(b) Grants for such costs for any center under this part may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of four years and three months after such first day; and such grants with respect to any center may not exceed 75 per centum of such costs for the period ending with the close of the fifteenth month following such first day, 60 per centum of such costs for the first year thereafter, 45 per centum of such costs for the second year thereafter, and 30 per centum of such costs for the third year thereafter.

"(c) In making such grants, the Secretary shall take into account the relative needs of the several States for community mental health center programs, their relative financial needs, and their populations.

"APPLICATIONS AND CONDITIONS FOR APPROVAL

"SEC. 221. (a) Grants under this part with respect to any community mental health center may be made only upon application, and only if—

"(1) the applicant is a public or nonprofit private agency or organization which owns or operates the center;

"(2) the services to be provided by the center, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated with the applicant, will be part of a program providing, principally for persons residing in a particular community or communities in or near which such center is situated, at least those essential elements of comprehensive mental health services which are prescribed by the Secretary;

"(3) (A) a grant was made under part A of this title to assist in financing the construction of the center or (B) the type of service to be provided as part of such program with the aid of a grant under this part was not previously being provided by the center with respect to which such application is made;

"(4) the Secretary determines that there is satisfactory assurance that Federal funds made available under this part for any period will be so used as to supplement and, to the extent practical, increase the level of State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the program described in paragraph (2) of this subsection, and will in no event supplant such State, local, and other non-Federal funds; and

"(5) the services to be provided by the center are described in the State mental health plan submitted to the Public Health Service by the State mental health authority in accordance with title III of the Public Health Service Act.

58 Stat. 691.
42 USC 241 *et seq.*

Restriction.

"(b) No grant may be made under this part after June 30, 1968, with respect to any community mental health center or with respect

to any type of service provided by such a center unless a grant with respect thereto was made under this part prior to July 1, 1968.

"PAYMENTS

"SEC. 222. Payment of grants under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and on such terms and conditions and in such installments, as the Secretary may determine.

"REGULATIONS

"SEC. 223. The Secretary shall, after consultation with the National Advisory Mental Health Council (appointed pursuant to the Public Health Service Act), prescribe general regulations concerning eligibility of centers under this part, determination of eligible costs with respect to which grants may be made, and the terms and conditions (including those specified in section 221) for approving applications under this part.

58 Stat. 682.
42 USC 201 note.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 224. There are hereby authorized to be appropriated $19,500,000 for the fiscal year ending June 30, 1966, $24,000,000 for the fiscal year ending June 30, 1967, and $30,000,000 for the fiscal year ending June 30, 1968, to enable the Secretary to make initial grants to community mental health centers under the provisions of this part. For the fiscal year ending June 30, 1967, and each of the five succeeding years, there are hereby authorized to be appropriated such sums as may be necessary to make grants to such centers which have previously received a grant under this part and are eligible for such a grant for the year for which sums are being appropriated under this sentence."

SEC. 3. Title IV of the Mental Retardation Facilities and Community Mental Health Centers Construction Act is amended by inserting at the end thereof the following new section:

77 Stat. 296.
42 USC 2691 *et seq.*

"RECORDS AND AUDIT

"SEC. 408. (a) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient 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 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.

"(b) The Secretary 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 recipients that are pertinent to the assistance received under this Act."

SEC. 4. Subsection (a) of section 302 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164) is amended by striking out "There is authorized to be appropriated for the fiscal year ending June 30, 1964, and each of the next two fiscal years the sum of $2,000,000" and inserting in lieu thereof the following: "There is authorized to be appropriated $6,000,000 for the fiscal year ending June 30, 1966;

Research projects.
20 USC 618.

$9,000,000 for fiscal year ending June 30, 1967; $12,000,000 for fiscal year ending June 30, 1968; and $14,000,000 for fiscal year ending June 30, 1969".

SEC. 5. Section 302 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164) is further amended by inserting at the end thereof the following new subsections as follow:

Facilities, construction, etc.

"(f) For the purposes of this section the Commissioner of Education may make grants to institutions of higher education for the construction, equipping, and operation of a facility for research, or for research and related purposes (as defined in this section).

Laborers, wages.

"(g) All laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of any project under 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). The Secretary of Labor shall have, with respect to the labor standards specified in this clause, 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).

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267.

63 Stat. 108.

"Construction."

"(h) As used in this section the terms 'construction' and 'cost of construction' include (A) the construction of new buildings and the expansion, remodeling, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered.

"Research and related purposes."

"(i) As used in this section, the term 'research and related purposes' means research, research training, surveys, or demonstrations in the field of education of handicapped children, or the dissemination of information derived therefrom, or all of such activities, including (but without limitation) experimental schools."

Special account.

SEC. 6. There is hereby established on the books of the Treasury an account or accounts without fiscal year limitation. There shall be deposited in such account, to the extent provided by the Secretary of Health, Education, and Welfare or his designee, all or part of any grant awarded by the Secretary or any other officer or employee of the Department of Health, Education, and Welfare. Payments of any such grant shall from time to time be made to the grantee from such account or accounts, subject to such limitations relating to fund accumulation as the Secretary may prescribe, to the extent needed to carry out the purposes of any such grant. Such reports as the Secretary or other officer awarding the grant may find necessary to assure expenditure of funds for the purpose of and in accordance with the terms and conditions of the grant shall be made to the Secretary or such officer by any such grantee.

Reports.

SEC. 7. Section 5 of the Act of September 6, 1958 (Public Law 85-926), is amended by adding at the end thereof the following new paragraph:

72 Stat. 1777. 20 USC 615.

"State."

"(c) The term 'State' includes the Commonwealth of Puerto Rico, the Virgin Islands, the District of Columbia, Guam, and American Samoa."

SEC. 8. Section 7 of the Act of September 6, 1958 (Public Law 85-926) as amended (20 U.S.C. 617), is amended to read as follows:

77 Stat. 294.

"SEC. 7. There are authorized to be appropriated for carrying out this Act $19,500,000 for the fiscal year ending June 30, 1966; $29,500,000 for the fiscal year ending June 30, 1967; $34,000,000 for the fiscal year ending June 30, 1968; and $37,500,000 for the fiscal year ending June 30, 1969."

Approved August 4, 1965.

Public Law 89-106

AN ACT

To facilitate the work of the Department of Agriculture, and for other purposes.

August 4, 1965
[H. R. 5508]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of existing law, except the Commodity Credit Corporation Charter Act and without regard to section 355, Revised Statutes, as amended (40 U.S.C. 255), but within the limitations of cost otherwise applicable, appropriations of the Department of Agriculture may be expended for the erection of buildings and other structures on land owned by States, counties, municipalities, or other political subdivisions, corporations, or individuals: *Provided*, That prior to such erection there is obtained the right to use the land for the estimated life of or need for the structure, including the right to remove any such structure within a reasonable time after the termination of the right to use the land: *Provided further*, That appropriations and funds available to the Department of Agriculture shall be available for expenses in connection with acquiring the right to use land for such purposes under long-term lease or other agreement.

Agriculture Department, administration.
Erection of buildings.
62 Stat. 1070.
15 USC 714 note.

SEC. 2. The Secretary of Agriculture is authorized to make grants, for periods not to exceed five years' duration, to State agricultural experiment stations, colleges, universities, and other research institutions and organizations and to Federal and private organizations and individuals for research to further the programs of the Department of Agriculture. Each recipient of assistance under this section shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grants, the total cost of the project or undertaking in connection with which such funds are given or used, and the amount of that portion of the costs of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit. The Secretary of Agriculture 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 recipients that are pertinent to the grants received under this section.

Research grants.
Records.
Audit.

SEC. 3. The Secretary of Agriculture is authorized to obtain insurance to cover the liability of any employee of the Department of Agriculture for damage to or loss of property or personal injury or death caused by the act or omission of any such employee while acting within the scope of his office or employment and while operating a motor vehicle belonging to the United States in a foreign country.

Employee liability insurance.

SEC. 4. Section 602 of the Agricultural Act of 1954 (68 Stat. 908) is amended by adding at the end thereof the following:

Overseas personnel, assignment to U.S.
7 USC 1762.

"(e) Any officer or employee appointed and assigned to a post abroad pursuant to this title may, in the discretion of the Secretary of Agriculture, be assigned for duty in the continental United States, without regard to the civil service laws (and without reduction in grade if an appropriate position at the employee's grade is not available in any agency of the Department of Agriculture), for a period of not more than three years: *Provided*, That the total number of such employees assigned for duty in the continental United States under this provision shall not exceed fifteen at any one time: *Provided further*, That this Act shall not increase the number of persons employed at grade GS-16, GS-17, or GS-18."

Foreign currencies, release.
68 Stat. 456; 73 Stat. 606.

SEC. 5. Section 104(a) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), is further amended by inserting, after the word "*Provided*,", the following: "That the Secretary of Agriculture may release such amounts of the foreign currencies so set aside as he determines not to be needed, within a reasonable period of time, for such purpose: *Provided further*,".

Employees on loan to states; health benefits.

SEC. 6. Section 4 of the Act of August 2, 1956 (ch. 878, 70 Stat. 934; 7 U.S.C. 1884), is hereby amended—

(1) by striking the word "insurance" and substituting the word "benefits";

68 Stat. 736.
5 USC 2091 note.
73 Stat. 708.
5 USC 3001 note.

(2) by inserting after "Federal Employees' Group Life Insurance Act of 1954" the words "and the Federal Employees Health Benefits Act of 1959,"; and

(3) by inserting after "employees' life insurance fund" the words "or the employees' health benefits fund, as the case may be,".

Working capital fund.
57 Stat. 393.

SEC. 7. Section 1 of the Act of July 12, 1943 (5 U.S.C. 542-1), is hereby amended by striking out the word "reimbursed" and inserting in lieu therof the words "credited with advances or reimbursements" and inserting after the word "*Provided*," the following: "That such advances shall not be available for any period beyond that provided by the Act appropriating the funds: *Provided further*,".

Transfer of funds.

SEC. 8. Subject to limitations applicable with respect to each appropriation concerned, each appropriation available to the Department of Agriculture may be charged, at any time during a fiscal year, for the benefit of any other appropriation available to the Department, for the purpose of financing the procurement of materials and services, or financing activities or other costs, for which funds are available both in the financing appropriation so charged and in the appropriation so benefited; except that such expenses so financed shall be charged on a final basis, as of a date not later than the close of such fiscal year, to the appropriations so benefited, with appropriate credit to the financing appropriation.

Repeal.
54 Stat. 1019.

SEC. 9. Section 8f of the Agricultural Adjustment Act of 1933, as amended (7 U.S.C. 608f), is hereby repealed.

Approved August 4, 1965.

Public Law 89-107

August 4, 1965
[H. R. 5860]

AN ACT

To amend the law relating to the final disposition of the property of the Choctaw Tribe.

Choctaw Indians.
Property disposition.
25 USC 355 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 25, 1959 (73 Stat. 420), as amended by Act of August 24, 1962 (76 Stat. 405), is amended as follows: The words "six years", which appear twice in section 1(a), once in section 1(d), once in section 11, once in section 12(a), and once in section 12(b), are changed to "nine years."

Approved August 4, 1965.

Public Law 89-108

AN ACT

August 5, 1965
[H. R. 237]

To make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior.

Missouri River Basin Project, Garrison diversion unit.
Construction provisions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the general plan for the Missouri-Souris unit of the Missouri River Basin project, heretofore authorized in section 9 of the Flood Control Act of December 22, 1944 (58 Stat. 887), as modified by the report of the Secretary of the Interior contained in House Document Numbered 325, Eighty-sixth Congress, second session, is confirmed and approved under the designation "Garrison diversion unit," and the construction of a development providing for the irrigation of two hundred and fifty thousand acres, municipal and industrial water, fish and wildlife conservation and development, recreation, flood control, and other project purposes shall be prosecuted by the Department of the Interior substantially in accordance with the plans set out in the Bureau of Reclamation report dated November 1962 (revised February 1965) supplemental report to said House Document Numbered 325.

Recreation, fish and wildlife facilities.

SEC. 2. (a) Subject to the provisions of subsections (b), (c), (d), and (e) of this section, the Secretary is authorized in connection with the Garrison diversion unit (i) to construct, operate, and maintain or provide for the construction, operation, and maintenance of public outdoor recreation and fish and wildlife enhancement facilities, (ii) to acquire or otherwise to include within the unit area such adjacent lands or interests in land as are necessary for present or future public recreation or fish and wildlife use, (iii) to allocate water and reservoir capacity to recreation and fish and wildlife enhancement, and (iv) to provide for the public use and enjoyment of unit lands, facilities, and water areas in a manner coordinated with other unit purposes. The Secretary is further authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, and replacement of unit facilities, and to transfer unit lands or facilities to Federal agencies or State or local public bodies by lease or exchange, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

(b) All costs allocated to fish and wildlife enhancement and incurred in connection with waterfowl refuges and waterfowl production areas proposed for Federal administration shall be nonreimbursable.

Non-Federal public bodies.
Project administration costs.

(c) (1) If, before commencement of construction of the unit, non-Federal public bodies agree to administer for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the unit approved by the Secretary land and water areas which are not included within Federal waterfowl refuges and waterfowl production areas and to bear not less than one-half the separable costs of the unit allocated to either or both of said purposes, as the case may be, and attributable to such areas and all the costs of operation, maintenance, and replacement incurred in connection therewith, the remainder of the separable capital costs so allocated and attributed shall be nonreimbursable.

Allocation of unit costs.

(2) In the absence of such a preconstruction agreement recreation and fish and wildlife enhancement facilities (other than minimum facilities for the public health and safety at reservoir access points and facilities related to Federal waterfowl refuges and waterfowl production areas) shall not be provided, and the allocation of unit costs shall reflect only the number of visitor days and the value per visitor

day estimated to result from such diminished recreation development without reference to lands which may be provided pursuant to subsection (e) of this section.

Non-Federal share of costs.

(d) The non-Federal share of the separable capital costs of the unit allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the Secretary: (i) payment, or provision of lands, interests therein, or facilities for the unit; or (ii) repayment, with interest, within fifty years of first use of unit recreation or fish and wildlife enhancement facilities: *Provided*, That the source of repayment may be limited to entrance and user fees or charges collected at the unit by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiation at intervals of not more than five years.

Provisions for acquisition of lands.

(e) Notwithstanding the absence of preconstruction agreements as specified in subsection (c) of this section lands may be acquired in connection with construction of the unit to preserve the recreation and fish and wildlife enhancement potential of the unit.

(1) If non-Federal public bodies agree within ten years after initial unit operation to administer for recreation and fish and wildlife enhancement pursuant to the plan for development of the unit approved by the Secretary land and water areas which are not included within Federal waterfowl refuges and waterfowl production areas and to bear not less than one-half the costs of lands acquired therefor pursuant to this subsection and facilities and project modifications provided for those purposes and all costs of operation, maintenance, and replacement incurred therefor, the remainder of the costs of such lands, facilities, and project modifications shall be nonreimbursable. Such agreement and subsequent development shall not be the basis for any allocation of joint costs of the unit to recreation or fish and wildlife enhancement.

(2) If, within ten years after initial operation of the unit, there is not an executed agreement as specified in paragraph (1) of this subsection, the Secretary may utilize the lands for any lawful purpose within the jurisdiction of the Department of the Interior, or may transfer custody of the land to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

Joint capital costs.

(f) Subject to the limitations hereinbefore stated, joint capital costs allocated to recreation and fish and wildlife enhancement shall be nonreimbursable.

Unit costs.

(g) Costs of means and measures to prevent loss of and damage to fish and wildlife shall be treated as unit costs and allocated among all unit purposes.

"Nonreimbursable."

(h) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

Integration with other Federal works.

SEC. 3. The Garrison diversion unit shall be integrated physically and financially with the other Federal works constructed or authorized

to be constructed under the comprehensive plan approved by section 9 of the Act of December 22, 1944, as amended and supplemented. The Secretary shall give consideration to returning to the Missouri River to the fullest extent practicable such of the return flows as are not required for beneficial purposes.

58 Stat. 891.

Interest rates.

SEC. 4. (a) The interest rate used for computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the Garrison diversion unit as authorized in this Act shall be determined by the Secretary of the Treasury as of the beginning of the fiscal year in which construction is initiated, 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.

(b) From and after July 1, 1965, the interest rate on the unamortized balance of the investment allocated to commercial power in facilities constructed or under construction on June 30, 1965, by the Department of the Army in the Missouri River Basin, the commercial power from which is marketed by the Department of the Interior, and in the transmission and marketing facilities associated therewith, shall be 2½ per centum per annum.

Water delivery, restriction.

SEC. 5. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user 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. 6. There is hereby authorized to be appropriated for construction of the Garrison diversion unit as authorized in this Act, the sum of $207,000,000, 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. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the unit.

Approved August 5, 1965.

Public Law 89-109

AN ACT

August 5, 1965 [S. 510]

To extend and otherwise amend certain expiring provisions of the Public Health Service Act relating to community health services, and for other purposes.

Community Health Services Extension 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 "Community Health Services Extension Amendments of 1965".

IMMUNIZATION PROGRAMS

76 Stat. 1155. 42 USC 247b.

SEC. 2. (a) The first sentence of subsection (a) of section 317 of the Public Health Service Act is amended by striking out "and" before "June 30, 1965" and by inserting "and each of the next three

fiscal years," immediately after "June 30, 1965,". The second sentence of such subsection is amended by striking out "the fiscal years ending June 30, 1963, and June 30, 1964" and inserting in lieu thereof "any fiscal year ending prior to July 1, 1968". The third sentence of such subsection is amended by striking "and tetanus" and inserting in lieu thereof "tetanus, and measles", and by striking out "under the age of five years" and inserting in lieu thereof "of preschool age".

Other infectious diseases.

(b) Subsection (a) of such section is further amended by adding at the end thereof the following new sentence: "Such grants may also be used to pay similar costs in connection with immunization programs against any other disease of an infectious nature which the Surgeon General finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through immunization with vaccines or other preventive agents which may become available in the future."

(c) Subsection (b) of such section is amended by striking out "of limited duration", by striking out "against poliomyelitis, diphtheria, whooping cough, and tetanus" and inserting in lieu thereof "against the diseases referred to in subsection (a)", and by striking out "who are under the age of five years" and inserting in lieu thereof "of preschool age".

(d) (1) Such section is further amended by striking out "intensive community vaccination" wherever it appears in subsections (a), (b), and (c) and inserting in lieu thereof "immunization".

(2) The heading of such section is amended by striking out "INTENSIVE VACCINATION" and inserting in lieu thereof "IMMUNIZATION".

(e) Paragraph (1) of subsection (c) is amended by inserting "on the basis of estimates" after "advance"; by striking out the comma after the word "reimbursement" and inserting in lieu thereof "(with necessary adjustments on account of underpayments or overpayments),".

MIGRATORY WORKERS HEALTH SERVICES

76 Stat. 592.
42 USC 242h.

SEC. 3. (a) Section 310 of the Public Health Service Act is amended by striking out "for the fiscal year ending June 30, 1963, the fiscal year ending June 30, 1964, and the fiscal year ending June 30, 1965, such sums, not to exceed $3,000,000 for any year, as may be necessary" and inserting in lieu thereof "not to exceed $7,000,000 for the fiscal year ending June 30, 1966, $8,000,000 for the fiscal year ending June 30, 1967, and $9,000,000 for the fiscal year ending June 30, 1968".

76 Stat. 592.
42 USC 242h.

(b) Such section is further amended by inserting "including necessary hospital care, and" immediately after "agricultural migratory workers and their families," in clause (1) (ii) of such section.

GENERAL PUBLIC HEALTH SERVICES

60 Stat. 424;
75 Stat. 824.
42 USC 246.

SEC. 4. (a) The first sentence of subsection (c) of section 314 of such Act is amended by striking out "first five fiscal years ending after June 30, 1961" and inserting in lieu thereof "first six fiscal years ending after June 30, 1961".

(b) The third sentence of subsection (c) of section 314 of such Act is amended by striking out "$2,500,000" and inserting in lieu thereof "$5,000,000".

SPECIAL PROJECT GRANTS FOR COMMUNITY HEALTH SERVICES

SEC. 5. The first sentence of subsection (a) of section 316 of such Act is amended by striking out "first five fiscal years ending after June 30, 1961" and inserting in lieu thereof "first six fiscal years ending after June 30, 1961".

75 Stat. 824.
42 USC 247a.

Approved August 5, 1965.

Public Law 89-110

AN ACT

August 6, 1965
[S. 1564]

To enforce the fifteenth amendment to the Constitution 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 this Act shall be known as the "Voting Rights Act of 1965".

Voting Rights Act of 1965.

SEC. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

Judicial remedies.

SEC. 3. (a) Whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court shall authorize the appointment of Federal examiners by the United States Civil Service Commission in accordance with section 6 to serve for such period of time and for such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the fifteenth amendment (1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or (2) as part of any final judgment if the court finds that violations of the fifteenth amendment justifying equitable relief have occurred in such State or subdivision: *Provided*, That the court need not authorize the appointment of examiners if any incidents of denial or abridgement of the right to vote on account of race or color (1) have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for the purpose or with the effect of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of tests and devices in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary.

(c) If in any proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision. the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and during such period no voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be enforced unless and until the court finds that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on

account of race or color: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that neither the court's finding nor the Attorney General's failure to object shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure.

Use of tests or devices prohibited.

Declaratory judgment proceedings.

SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection (b) or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia in an action for a declaratory judgment brought by such State or subdivision against the United States has determined that no such test or device has been used during the five years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color: *Provided*, That no such declaratory judgment shall issue with respect to any plaintiff for a period of five years after the entry of a final judgment of any court of the United States, other than the denial of a declaratory judgment under this section, whether entered prior to or after the enactment of this Act, determining that denials or abridgments of the right to vote on account of race or color through the use of such tests or devices have occurred anywhere in the territory of such plaintiff.

An action pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. The court shall retain jurisdiction of any action pursuant to this subsection for five years after judgment and shall reopen the action upon motion of the Attorney General alleging that a test or device has been used for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

62 Stat. 968.

If the Attorney General determines that he has no reason to believe that any such test or device has been used during the five years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color, he shall consent to the entry of such judgment.

(b) The provisions of subsection (a) shall apply in any State or in any political subdivision of a state which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November 1964.

Publication in Federal Register.

A determination or certification of the Attorney General or of the Director of the Census under this section or under section 6 or section 13 shall not be reviewable in any court and shall be effective upon publication in the Federal Register.

"Test or device."

(c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement or his knowl-

edge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

(d) For purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color if (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(e)(1) Congress hereby declares that to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language.

(2) No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English, shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has successfully completed an equivalent level of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English.

SEC. 5. Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that neither the Attorney General's failure to object nor a declaratory judgment entered under this section shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure. Any action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

62 Stat. 968.

SEC. 6. Whenever (a) a court has authorized the appointment of examiners pursuant to the provisions of section 3(a), or (b) unless a declaratory judgment has been rendered under section 4(a), the

Appointment of examiners.

Attorney General certifies with respect to any political subdivision named in, or included within the scope of, determinations made under section 4(b) that (1) he has received complaints in writing from twenty or more residents of such political subdivision alleging that they have been denied the right to vote under color of law on account of race or color, and that he believes such complaints to be meritorious, or (2) that in his judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to him to be reasonably attributable to violations of the fifteenth amendment or whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the fifteenth amendment), the appointment of examiners is otherwise necessary to enforce the guarantees of the fifteenth amendment, the Civil Service Commission shall appoint as many examiners for such subdivision as it may deem appropriate to prepare and maintain lists of persons eligible to vote in Federal, State, and local elections. Such examiners, hearing officers provided for in section 9(a), and other persons deemed necessary by the Commission to carry out the provisions and purposes of this Act shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 118i), prohibiting partisan political activity: *Provided*, That the Commission is authorized, after consulting the head of the appropriate department or agency, to designate suitable persons in the official service of the United States, with their consent, to serve in these positions. Examiners and hearing officers shall have the power to administer oaths.

53 Stat. 1148; 64 Stat. 475.

Duties of examiners.

SEC. 7. (a) The examiners for each political subdivision shall, at such places as the Civil Service Commission shall by regulation designate, examine applicants concerning their qualifications for voting. An application to an examiner shall be in such form as the Commission may require and shall contain allegations that the applicant is not otherwise registered to vote.

List of eligible voters.

(b) Any person whom the examiner finds, in accordance with instructions received under section 9(b), to have the qualifications prescribed by State law not inconsistent with the Constitution and laws of the United States shall promptly be placed on a list of eligible voters. A challenge to such listing may be made in accordance with section 9(a) and shall not be the basis for a prosecution under section 12 of this Act. The examiner shall certify and transmit such list, and any supplements as appropriate, at least once a month, to the offices of the appropriate election officials, with copies to the Attorney General and the attorney general of the State, and any such lists and supplements thereto transmitted during the month shall be available for public inspection on the last business day of the month and in any event not later than the forty-fifth day prior to any election. The appropriate State or local election official shall place such names on the official voting list. Any person whose name appears on the examiner's list shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list in accordance with subsection (d): *Provided*, That no person shall be entitled to vote in any election by virtue of this Act

unless his name shall have been certified and transmitted on such a list to the offices of the appropriate election officials at least forty-five days prior to such election.

(c) The examiner shall issue to each person whose name appears on such a list a certificate evidencing his eligibility to vote.

(d) A person whose name appears on such a list shall be removed therefrom by an examiner if (1) such person has been successfully challenged in accordance with the procedure prescribed in section 9, or (2) he has been determined by an examiner to have lost his eligibility to vote under State law not inconsistent with the Constitution and the laws of the United States.

Observers at elections.

SEC. 8. Whenever an examiner is serving under this Act in any political subdivision, the Civil Service Commission may assign, at the request of the Attorney General, one or more persons, who may be officers of the United States, (1) to enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and (2) to enter and attend at any place for tabulating the votes cast at any election held in such subdivision for the purpose of observing whether votes cast by persons entitled to vote are being properly tabulated. Such persons so assigned shall report to an examiner appointed for such political subdivision, to the Attorney General, and if the appointment of examiners has been authorized pursuant to section 3(a), to the court.

Challenges to eligibility listings, hearings.

SEC. 9. (a) Any challenge to a listing on an eligibility list prepared by an examiner shall be heard and determined by a hearing officer appointed by and responsible to the Civil Service Commission and under such rules as the Commission shall by regulation prescribe. Such challenge shall be entertained only if filed at such office within the State as the Civil Service Commission shall by regulation designate, and within ten days after the listing of the challenged person is made available for public inspection, and if suported by (1) the affidavits of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged at his place of residence set out in the application. Such challenge shall be determined within fifteen days after it has been filed. A petition for review of the decision of the hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review but no decision of a hearing officer shall be reversed unless clearly erroneous. Any person listed shall be entitled and allowed to vote pending final determination by the hearing officer and by the court.

Procedural regulations.

(b) The times, places, procedures, and form for application and listing pursuant to this Act and removals from the eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission and the Commission shall, after consultation with the Attorney General, instruct examiners concerning applicable State law not inconsistent with the Constitution and laws of the United States with respect to (1) the qualifications required for listing, and (2) loss of eligibility to vote.

Subpena power.

(c) Upon the request of the applicant or the challenger or on its own motion the Civil Service Commission shall have the power to require by subpena the attendance and testimony of witnesses and the

production of documentary evidence relating to any matter pending before it under the authority of this section. In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a hearing officer, there to produce pertinent, relevant, and nonprivileged documentary evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Poll tax.

SEC. 10. (a) The Congress finds that the requirement of the payment of a poll tax as a precondition to voting (i) precludes persons of limited means from voting or imposes unreasonable financial hardship upon such persons as a precondition to their exercise of the franchise, (ii) does not bear a reasonable relationship to any legitimate State interest in the conduct of elections, and (iii) in some areas has the purpose or effect of denying persons the right to vote because of race or color. Upon the basis of these findings, Congress declares that the constitutional right of citizens to vote is denied or abridged in some areas by the requirement of the payment of a poll tax as a precondition to voting.

(b) In the exercise of the powers of Congress under section 5 of the fourteenth amendment and section 2 of the fifteenth amendment, the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions, including actions against States or political subdivisions, for declaratory judgment or injunctive relief against the enforcement of any requirement of the payment of a poll tax as a precondition to voting, or substitute therefor enacted after November 1, 1964, as will be necessary to implement the declaration of subsection (a) and the purposes of this section.

(c) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

62 Stat. 968.

(d) During the pendency of such actions, and thereafter if the courts, notwithstanding this action by the Congress, should declare the requirement of the payment of a poll tax to be constitutional, no citizen of the United States who is a resident of a State or political subdivision with respect to which determinations have been made under subsection 4(b) and a declaratory judgment has not been entered under subsection 4(a), during the first year he becomes otherwise entitled to vote by reason of registration by State or local officials or listing by an examiner, shall be denied the right to vote

for failure to pay a poll tax if he tenders payment of such tax for the current year to an examiner or to the appropriate State or local official at least forty-five days prior to election, whether or not such tender would be timely or adequate under State law. An examiner shall have authority to accept such payment from any person authorized by this Act to make an application for listing, and shall issue a receipt for such payment. The examiner shall transmit promptly any such poll tax payment to the office of the State or local official authorized to receive such payment under State law, together with the name and address of the applicant.

Prohibitions.

SEC. 11. (a) No person acting under color of law shall fail or refuse to permit any person to vote who is entitled to vote under any provision of this Act or is otherwise qualified to vote, or willfully fail or refuse to tabulate, count, and report such person's vote.

(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote, or intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for urging or aiding any person to vote or attempt to vote, or intimidate, threaten, or coerce any person for exercising any powers or duties under section 3(a), 6, 8, 9, 10, or 12(e).

Penalty.

(c) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration to vote or illegal voting, or pays or offers to pay or accepts payment either for registration to vote or for voting shall be fined not more than $10,000 or imprisoned not more than five years, or both:

Applicability.

Provided, however, That this provision shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, or Delegates or Commissioners from the territories or possessions, or Resident Commissioner of the Commonwealth of Puerto Rico.

(d) Whoever, in any matter within the jurisdiction of an examiner or hearing officer knowingly and willfully falsifies or conceals a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

SEC. 12. (a) Whoever shall deprive or attempt to deprive any person of any right secured by section 2, 3, 4, 5, 7, or 10 or shall violate section 11 (a) or (b), shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(b) Whoever, within a year following an election in a political subdivision in which an examiner has been appointed (1) destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot which has been cast in such election, or (2) alters any official record of voting in such election tabulated from a voting machine or otherwise, shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(c) Whoever conspires to violate the provisions of subsection (a) or (b) of this section, or interferes with any right secured by section 2, 3, 4, 5, 7, 10, or 11 (a) or (b) shall be fined not more than $5,000, or imprisoned not more than five years, or both.

Injunctions, etc.

(d) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section, the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other order, and including an order directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote and (2) to count such votes.

(e) Whenever in any political subdivision in which there are examiners appointed pursuant to this Act any persons allege to such an examiner within forty-eight hours after the closing of the polls that notwithstanding (1) their listing under this Act or registration by an appropriate election official and (2) their eligibility to vote, they have not been permitted to vote in such election, the examiner shall forthwith notify the Attorney General if such allegations in his opinion appear to be well founded. Upon receipt of such notification, the Attorney General may forthwith file with the district court an application for an order providing for the marking, casting, and counting of the ballots of such persons and requiring the inclusion of their votes in the total vote before the results of such election shall be deemed final and any force or effect given thereto. The district court shall hear and determine such matters immediately after the filing of such application. The remedy provided in this subsection shall not preclude any remedy available under State or Federal law.

(f) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether a person asserting rights under the provisions of this Act shall have exhausted any administrative or other remedies that may be provided by law.

Listing procedures, termination.

SEC. 13. Listing procedures shall be terminated in any political subdivision of any State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commission, or whenever the District Court for the District of Columbia determines in an action for declaratory judgment brought by any political subdivision with respect to which the Director of the Census has determined that more than 50 per centum of the nonwhite persons of voting age residing therein are registered to vote, (1) that all persons listed by an examiner for such subdivision have been placed on the appropriate voting registration roll, and (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision, and (b), with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a) of this section, and may petition the Attorney General to request the Director of the Census to take such survey or census as may be appropriate for the making of the determination provided for in this section. The District Court for the District of Columbia shall have jurisdiction to require such

survey or census to be made by the Director of the Census and it shall require him to do so if it deems the Attorney General's refusal to request such survey or census to be arbitrary or unreasonable.

Criminal contempt proceedings. 71 Stat. 638.

SEC. 14. (a) All cases of criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995).

(b) No court other than the District Court for the District of Columbia or a court of appeals in any proceeding under section 9 shall have jurisdiction to issue any declaratory judgment pursuant to section 4 or section 5 or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this Act or any action of any Federal officer or employee pursuant hereto.

"Vote" or "voting."

(c) (1) The terms "vote" or "voting" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this Act, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election.

"Political subdivision."

(2) The term "political subdivision" shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

Subpenas.

(d) In any action for a declaratory judgment brought pursuant to section 4 or section 5 of this Act, subpenas for witnesses who are required to attend the District Court for the District of Columbia may be served in any judicial district of the United States: *Provided*, That no writ of subpena shall issue for witnesses without the District of Columbia at a greater distance than one hundred miles from the place of holding court without the permission of the District Court for the District of Columbia being first had upon proper application and cause shown.

SEC. 15. Section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), and as further amended by section 101 of the Civil Rights Act of 1964 (78 Stat. 241), is further amended as follows:

(a) Delete the word "Federal" wherever it appears in subsections (a) and (c);

Repeal.

(b) Repeal subsection (f) and designate the present subsections (g) and (h) as (f) and (g), respectively.

Armed Forces, voting rights study.

SEC. 16. The Attorney General and the Secretary of Defense, jointly, shall make a full and complete study to determine whether, under the laws or practices of any State or States, there are preconditions to voting, which might tend to result in discrimination against citizens serving in the Armed Forces of the United States seeking to vote. Such officials shall, jointly, make a report to the Congress not later than June 30, 1966, containing the results of such study, together with a list of any States in which such preconditions exist, and shall include in such report such recommendations for legislation as they deem advisable to prevent discrimination in voting against citizens serving in the Armed Forces of the United States.

Report to Congress.

SEC. 17. Nothing in this Act shall be construed to deny, impair, or otherwise adversely affect the right to vote of any person registered to vote under the law of any State or political subdivision.

Appropriation.

SEC. 18. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 19. 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 the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Approved August 6, 1965.

Public Law 89-111

August 6, 1965
[H. R. 903]

AN ACT

To add certain lands to the Kings Canyon National Park in the State of California, and for other purposes.

Kings Canyon National Park, Calif.
Addition of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all lands in Tehipite Valley within the Sierra National Forest lying north of a line described as follows:

Beginning at a point on the existing west boundary of the Kings Canyon National Park on the hydrographic divide on the southwest side of the Gorge of Despair in section 13, township 12 south, range 29 east, Mount Diablo base and meridian, being the crest of a ridge designated as Silver Spur;

thence following the crest of Silver Spur westerly to the intersection with the west line of section 14, township 12 south, range 29 east; thence northwesterly in a straight line across the middle fork of the Kings River to the point of intersection of the right bank of a stream or intermittent stream and the 4,400-foot contour north of Tombstone Ridge, in section 15, township 12 south, range 29 east, being a point on the existing west boundary of the park;

and all lands in the Cedar Grove area of the Sequoia National Forest lying east of the west section lines of sections 11 and 14, township 13 south, range 30 east, Mount Diablo base and meridian, are hereby excluded from the said national forests and made a part of the Kings Canyon National Park, subject to all the laws and regulations applicable to such park.

Approved August 6, 1965.

Public Law 89-112

August 6, 1965
[H. R. 8620]

AN ACT

To amend the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965.

Feed grains, cotton, wheat programs, 1965.
Floods, other natural disasters.
77 Stat. 44.
7 USC 1441 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 105(d) of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following:

"An acreage on the farm which the Secretary finds was not planted to feed grains in 1965 because of flood, drought, or other natural disaster shall be deemed by the Secretary to be an actual acreage of feed grains planted on the farm for harvest for purposes of this sub-

section, provided such acreage is not subsequently devoted to any price supported crop for 1965."

SEC. 2. Section 103(b) of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: 78 Stat. 174. 7 USC 1444.

"For purposes of this subsection, an acreage on the farm which the Secretary finds was not planted to cotton in 1965 because of flood, drought, or other natural disaster shall be deemed by the Secretary to be an actual acreage of cotton planted on the farm for harvest, provided such acreage is not subsequently devoted to any price supported crop for 1965".

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following: 76 Stat. 627; 78 Stat. 180. 7 USC 1379c.

"An acreage on the farm which the Secretary finds was not planted to wheat for harvest in 1965 because of drought, flood, or other natural disaster shall be deemed by the Secretary 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 price supported crop for 1965."

Approved August 6, 1965.

Public Law 89-113

AN ACT

August 6, 1965 [S. 1321]

To amend section 501(e) of title 16 of the District of Columbia Code relating to bond requirements in connection with attachment before judgment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501(e) of title 16 of the District of Columbia Code is amended by inserting, immediately before the period at the end thereof, a semicolon and the following: "except that in any case in which the plaintiff states in his affidavit that the value of specified property to be levied upon is less than the amount of his claim, the court may set the amount of such bond in an amount twice the value of the property being attached, and, notwithstanding the provisions of subsection (f) of this section, only the property so specified shall be levied upon: *Provided*, That the United States marshal may, in his discretion, when levying upon such property, have the same appraised by an independent appraiser retained by the marshal at the expense of the plaintiff. Any such appraisal shall be made at the time the marshal levies upon the property, and the appraiser shall accompany him for such purpose. If such appraisal has been made, then only such property as may have a value not exceeding one-half of the amount of the bond shall be attached. In the event the appraised value of the property shall be more than one-half of the amount of the bond, the marshal may refuse to execute the writ unless and until the amount of the bond is increased so as to be at least twice the value of the property to be attached".

District of Columbia. Attachment before judgment, bond requirements. 77 Stat. 543.

Appraisal.

Approved August 6, 1965.

Public Law 89-114

August 6, 1965
[H. R. 6622]

AN ACT

To exempt the postal field service from section 1310 of the Supplemental Appropriation Act, 1952.

Postal Field Service.
Personnel increases, exemption.
65 Stat. 757; 76 Stat. 858.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1310(a) of the Supplemental Appropriation Act, 1952, as amended (5 U.S.C. 43, note), is amended by striking out "That increases in the number of permanent personnel in the Postal Field Service not exceeding 10 per centum above the total number of its permanent employees on September 1, 1950, shall not be chargeable to this limitation: *And provided further*,".

(b) Section 1310 of such Act, as amended (5 U.S.C. 43, note), is amended by adding at the end thereof the following subsection:

Nonapplicability.

"(f) This section shall not apply to the postal field service of the Post Office Department.".

Approved August 6, 1965.

Public Law 89-115

August 9, 1965
[H. R. 2984]

AN ACT

To amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes.

Health Research Facilities 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 "Health Research Facilities Amendments of 1965".

HEALTH RESEARCH FACILITIES CONSTRUCTION GRANTS

70 Stat. 718; 75 Stat. 827.
42 USC 292c.

SEC. 2. (a) Section 704 of the Public Health Service Act (hereinafter referred to as the "Act") is amended by inserting after "$50,000,000," the following: "and for the fiscal year ending June 30, 1967, and the two succeeding fiscal years, an aggregate of not to exceed $280,000,000,".

76 Stat. 1074.
42 USC 292d.

(b) Subsection (a) of section 705 of the Act is amended by striking out "June 30, 1965" and inserting in lieu thereof "June 30, 1968".

CONTRACT AUTHORITY

58 Stat. 692; 70 Stat. 490.
42 USC 241.

SEC. 3. Section 301 of the Act is amended by striking out "and" at the end of subsection (g), by redesignating subsection (h) as subsection (i), and by inserting immediately before such subsection the following new subsection:

"(h) Enter into contracts during the fiscal year ending June 30, 1966, and each of the two succeeding fiscal years, including contracts for research in accordance with and subject to the provisions of law applicable to contracts entered into by the military departments under title 10, United States Code, sections 2353 and 2354, except that determination, approval, and certification required thereby shall be by the Secretary of Health, Education, and Welfare; and".

70A Stat. 134.

ADDITIONAL ASSISTANT SECRETARIES OF HEALTH, EDUCATION, AND WELFARE

SEC. 4. (a) There shall be in the Department of Health, Education, and Welfare, in addition to the Assistant Secretaries now provided for by law, three additional Assistant Secretaries of Health, Education, and Welfare, who shall be appointed by the President, by and with the advice and consent of the Senate. The provisions of section 2 of the Reorganization Plan Numbered 1 of 1953 (67 Stat. 631) shall be applicable to such additional Assistant Secretaries to the same extent as they are applicable to the Assistant Secretaries authorized by that section.

Appointment by President.

5 USC 133z-15 note.

(b) The office of Special Assistant to the Secretary (Health and Medical Affairs), created by section 3 of the Reorganization Plan Numbered 1 of 1953 (67 Stat. 631), is hereby abolished.

Office abolished.

78 Stat. 428.

(c) Paragraph (17) of section 303(d) of the Federal Executive Salary Act of 1964 (78 Stat. 418) is amended by striking out "(2)" before the period at the end thereof and inserting in lieu thereof "(5)"; and paragraph (95) of section 303(e) of such Act is repealed.

5 USC 2211.

Repeal.

(d) The President may authorize the person who immediately prior to the date of enactment of this Act occupies the office of Special Assistant to the Secretary (Health and Medical Affairs) to act as one of the additional Assistant Secretaries authorized by subsection (a) of this section, until that office is filled by appointment in the manner provided by such section. While so acting, such person shall receive compensation at the rate now or hereafter provided by law for Assistant Secretaries of executive departments.

Interim appointment.

Approved August 9, 1965.

Public Law 89-116

AN ACT

To establish a five-day workweek for postmasters, and for other purposes.

August 9, 1965
[H. R. 1771]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3541(d) of title 39, United States Code, is amended by—

Postmasters.
5-day work week.
74 Stat. 644.

(1) striking out "postmasters" in paragraph (3) and inserting in lieu thereof "postmasters in fourth-class post offices"; and

(2) adding immediately following paragraph (5) the following new paragraph:

"(6) To compute the daily rate of basic compensation for postmasters (other than postmasters in fourth-class post offices), the annual rate of compensation shall be divided by 260."

(b) Chapter 45 of title 39, United States Code, is amended by inserting immediately after section 3576 thereof the following new section:

74 Stat. 615;
78 Stat. 403.
39 USC 3501 *et seq.*

"§ 3577. Workweek of postmasters in post offices of the first, second, and third classes

"(a) The Postmaster General shall schedule postmasters in post offices of the first, second, and third classes to work a five-day week.

"(b) Subsection (a) of this section shall not be held or considered to permit the closing of any post office on any weekday, Monday through Saturday, inclusive.".

(c) The table of contents of chapter 45 of title 39, United States Code, is amended by inserting

"3577. Workweek of postmasters in post offices of the first, second, and third classes."

immediately below

"3576. Holiday service of rural carriers and employees assigned to road duty.".

78 Stat. 407.

SEC. 2. Section 3544(b) of title 39, United States Code, is amended by striking out "fiscal year" and inserting in lieu thereof "calendar year".

SEC. 3. (a) The first section of this Act shall become effective at the beginning of the first pay period which begins on or after January 1, 1966.

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

(c) If the basic salary of a postmaster in a fourth-class post office was adjusted at the beginning of the first pay period which began after January 1, 1965, in accordance with the third sentence of section 3544(b) of title 39, United States Code, prior to the amendment by section 2 of this Act, and if he held such position, on the effective date of section 2 of this Act, his rate of basic compensation shall be adjusted as of such effective date, to that rate of basic compensation to which he would have been entitled if the amendment made by section 2 had been in effect on the date of such adjustment. Any increase in compensation under this subsection shall not be deemed to be an equivalent increase in basic compensation within the meaning of section 3552 of title 39, United States Code.

78 Stat. 408.

Approved August 9, 1965.

Public Law 89-117

AN ACT

August 10, 1965
[H. R. 7984]

To assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities.

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 "Housing and Urban Development Act of 1965".

Housing and Urban Development Act of 1965.

TITLE I—SPECIAL PROVISIONS FOR DISADVANTAGED PERSONS

FINANCIAL ASSISTANCE TO ENABLE CERTAIN PRIVATE HOUSING TO BE AVAILABLE FOR LOWER INCOME FAMILIES WHO ARE ELDERLY, HANDICAPPED, DISPLACED, VICTIMS OF A NATURAL DISASTER, OR OCCUPANTS OF SUBSTANDARD HOUSING

SEC. 101. (a) The Housing and Home Finance Administrator (hereinafter referred to as the "Administrator") is authorized to make, and contract to make, annual payments to a "housing owner" on behalf of "qualified tenants", as those terms are defined herein, in such amounts and under such circumstances as are prescribed in or pursuant to this section. In no case shall a contract provide for such payments with respect to any housing for a period exceeding forty years. The aggregate amount of the contracts to make such payments shall not exceed amounts approved in appropriation Acts, and payments pursuant to such contracts shall not exceed $30,000,000 per annum prior to July 1, 1966, which maximum dollar amount shall be increased by $35,000,000 on July 1, 1966, by $40,000,000 on July 1, 1967, and by $45,000,000 on July 1, 1968.

(b) As used in this section, the term "housing owner" means a private nonprofit corporation or other private nonprofit legal entity, a limited dividend corporation or other limited dividend legal entity, or a cooperative housing corporation, which is a mortgagor under section 221(d)(3) of the National Housing Act and which, after the enactment of this section, has been approved for mortgage insurance thereunder and has been approved for receiving the benefits of this section: *Provided*, That, except as provided in subsection (j), no payments under this section may be made with respect to any property financed with a mortgage receiving the benefits of the interest rate provided for in the proviso in section 221(d)(5) of that Act. Subject to the limitations provided in subsection (j), the term "housing owner" also has the meaning prescribed in such subsection.

"Housing owner."

75 Stat. 150.
12 USC 1715*l*.

Post, p. 454.

(c) As used in this section, the term "qualified tenant" means any individual or family who has, pursuant to criteria and procedures established by the Administrator, been determined—

"Qualified tenant."

(1) to have an income below the maximum amount which can be established in the area, pursuant to the limitations prescribed in sections 2(2) and 15(7)(b)(ii) of the United States Housing Act of 1937, for occupancy in public housing dwellings; and

Post, p. 457.
63 Stat. 422.
42 USC 1415

(2) to be one of the following—

(A) displaced by governmental action;

(B) sixty-two years of age or older (or, in the case of a family to have a head who is, or whose spouse is, sixty-two years of age or over);

(C) physically handicapped (or, in the case of a family, to have a head who is, or whose spouse is, physically handicapped);

(D) occupying substandard housing; or

(E) an occupant or former occupant of a dwelling which is (or was) situated in an area determined by the Small Business Administration, subsequent to April 1, 1965, to have been affected by a natural disaster, and which has been extensively damaged or destroyed as the result of such disaster.

The terms "qualified tenant" and "tenant" include a member of a cooperative who satisfies the foregoing requirements and who, upon resale of his membership to the cooperative, will not be reimbursed for any equity increment accumulated through payments under this section. With respect to members of a cooperative, the terms "rental" and "rental charges" mean the charges under the occupancy agreements between such members and the cooperative.

(d) The amount of the annual payment with respect to any dwelling unit shall not exceed the amount by which the fair market rental for such unit exceeds one-fourth of the tenant's income as determined by the Administrator pursuant to procedures and regulations established by him.

(e) (1) For purposes of carrying out the provisions of this section, the Administrator shall establish criteria and procedures for determining the eligibility of occupants and rental charges, including criteria and procedures with respect to periodic review of tenant incomes and periodic adjustment of rental charges. The Administrator shall issue, upon the request of a housing owner, certificates as to the following facts concerning the individuals and families applying for admission to, or residing in, dwellings of such owner:

(A) the income of the individual or family; and

(B) whether the individual or family was displaced by governmental action, is elderly, is physically handicapped, or is (or was) occupying substandard housing or housing extensively damaged or destroyed as the result of a natural disaster.

(2) Procedures adopted by the Administrator hereunder shall provide for recertifications of the incomes of occupants, except the elderly, at intervals of two years (or at shorter intervals in cases where the Administrator may deem it desirable) for the purpose of adjusting rental charges and annual payments on the basis of occupants' incomes, but in no event shall rental charges adjusted under this section for any dwelling exceed the fair market rental of the dwelling.

(3) The Administrator may enter into agreements, or authorize housing owners to enter into agreements, with public or private agencies for services required in the selection of qualified tenants, including those who may be approved, on the basis of the probability of future increases in their incomes, as lessees under an option to purchase (which will give such approved qualified tenants an exclusive right to purchase at a price established or determined as provided in the option) dwellings, and in the establishment of rentals. The Administrator is authorized (without limiting his authority under any other provision of law) to delegate to any such public or private agency his authority to issue certificates pursuant to this subsection.

(4) No payments under this section may be made with respect to any property for which the costs of operation (including wages and salaries) are determined by the Administrator to be greater than similar costs of operation of similar housing in the community where the property is situated.

(f) Section 101(c) of the Housing Act of 1949 is amended by inserting "(i)" after "a mortgage under" in the first proviso and by inserting immediately before the colon at the end of such proviso the following: ", or (ii) section 221(d)(3) of the National Housing Act if payments with respect to the mortgaged property are made or are to be made under section 101 of the Housing and Urban Development Act of 1965, except that no such mortgage shall be insured, and no commitment to insure such a mortgage shall be issued, with respect to property in any community for which a workable program for community improvement was required and in effect at the time a contract for a loan or capital grant was entered into under this title, or a contract for annual contributions or capital grants was entered into pursuant to the United States Housing Act of 1937, unless there is a workable program for community improvement which meets the requirements of this subsection in effect in such community at the time of such insurance or commitment". 68 Stat. 623. 42 USC 1451. 50 Stat. 888. 42 USC 1430.

(g) The Administrator is authorized to make such rules and regulations, to enter into such agreements, and to adopt such procedures as he may deem necessary or desirable to carry out the provisions of this section. Nothing contained in this section shall affect the authority of (1) the Federal Housing Commissioner with respect to any housing assisted under this section and under sections 221(d)(3) and 231(c)(3) of the National Housing Act, or (2) the Housing and Home Finance Administrator with respect to any housing assisted under this section and under section 202 of the Housing Act of 1959, including the authority to prescribe occupancy requirements under other provisions of law or to determine the portion of any such housing which may be occupied by qualified tenants. 75 Stat. 150; 73 Stat. 665. 12 USC 1715*l*, 1715v. 73 Stat. 667. 12 USC 1701q.

(h) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including, but not limited to, such sums as may be necessary to make annual payments as prescribed in this section, pay for services provided under (or pursuant to agreements entered into under) subsection (e), and provide administrative expenses.

(i) Section 114(c)(2) of the Housing Act of 1949 is amended by inserting before the colon at the end of the first proviso the following: ", or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965". 78 Stat. 788. 42 USC 1465.

(j)(1) For the purpose of assisting housing under this section on an experimental basis, subject to the limitations of this subsection, the term "housing owner" (in addition to the meaning prescribed in subsection (b)) includes—

(A) a private nonprofit corporation or other private nonprofit legal entity, a limited dividend corporation or other limited dividend legal entity, or a cooperative housing corporation, which is a mortgagor under a mortgage which receives the benefits of the interest rate provided for in the proviso in section 221(d)(5) of the National Housing Act and which, after the date of the enactment of this Act, has been approved for mortgage insurance under section 221(d)(3) of the National Housing Act and has been approved for receiving the benefits of this section; *Post*, p. 454.

(B) a private nonprofit corporation or other private nonprofit legal entity which is a mortgagor under a mortgage insured under section 231(c)(3) of the National Housing Act and which, after the date of the enactment of this Act, has obtained final endorsement of such mortgage for mortgage insurance and has been approved for receiving the benefits of this section; and

(C) a private nonprofit corporation, a public body or agency, or a cooperative housing corporation, which is a borrower under section 202 of the Housing Act of 1959 and has been approved for receiving the benefits of this section: *Provided*, That, with respect to properties financed with loans under such section made on or before the date of the enactment of this Act, payments shall not be made with respect to more than 20 per centum of the dwelling units in any property so financed.

73 Stat. 667.
12 USC 1701q.

(2) Of the amounts approved in appropriation Acts pursuant to subsection (a) for payments under this section in any year, not more than 5 per centum in the aggregate shall be paid with respect to properties of housing owners as defined in paragraph (1)(A) of this subsection, and not more than 5 per centum in the aggregate shall be paid with respect to properties of housing owners as defined in paragraphs (1)(B) and (1)(C) of this subsection.

EXTENSION OF FHA SECTION 221 PROGRAMS; MODIFICATION OF INTEREST RATE; POOLING OF MORTGAGES FOR SALE

SEC. 102. (a) The fifth sentence of section 221(f) of the National Housing Act is amended by striking out "subsection (d)(2) or (d)(4) after September 30, 1965, or under subsection (d)(3) after September 30, 1965," and inserting in lieu thereof "this section after October 1, 1969,".

78 Stat. 779.
12 USC 1715*l*.

(b) The proviso in section 221(d)(5) of such Act is amended by striking out "not less than the annual rate of interest determined" and inserting in lieu thereof "not less than the lower of (A) 3 per centum per annum, or (B) the annual rate of interest determined".

75 Stat. 152.

(c) The third sentence of section 212(a) of such Act is amended by striking out "described in subsection (d)(3)" and all that follows and inserting in lieu thereof "described in subsection (d)(3) or (d)(4)."

73 Stat. 661;
75 Stat. 181.
12 USC 1715c.

(d) Section 302(c) of such Act is amended by inserting before the last sentence thereof the following: "If there shall be included within one or more of the trusts or other agencies created pursuant to the authority of this subsection any mortgages bearing a below-market interest rate and insured under section 221(d)(3) after the date of the enactment of the Housing and Urban Development Act of 1965, there are authorized to be appropriated from time to time such amounts as may be necessary to reimburse the Association for the amount of the differential (including interest, other costs, and a fair proportion of administrative expense) between (1) the total outlay with respect to outstanding participations or other instruments which, at the time of issuance, were predicated upon or otherwise related to such below-market interest rate mortgages, and (2) the total receipts from such mortgages."

78 Stat. 800.
12 USC 1717.

LOW-RENT HOUSING IN PRIVATE ACCOMMODATIONS

SEC. 103. (a) The United States Housing Act of 1937 is amended by redesignating section 23 as section 24, and by adding after section 22 the following new section:

50 Stat. 899; 63 Stat. 431. 42 USC 1422.

"LOW-RENT HOUSING IN PRIVATE ACCOMMODATIONS

"SEC. 23. (a)(1) For the purpose of providing a supplementary form of low-rent housing which will aid in assuring a decent place to live for every citizen and promote efficiency and economy in the program under this Act by taking full advantage of vacancies or potential vacancies in the private housing market, each public housing agency shall, to the maximum extent consistent with the achievement of the objectives of this Act, provide low-rent housing under this Act in the form of low-rent housing in private accommodations in accordance with this section where such housing in private accommodations can be provided at a cost equal to or less than housing in projects assisted under other provisions of this Act.

"(2) The provisions of this section shall not apply to any locality unless the governing body of the locality has by resolution approved the application of such provisions to such locality.

Definitions.

"(3) As used in this section, the term 'low-rent housing in private accommodations' means dwelling units in an existing structure, leased from a private owner, which provide decent, safe, and sanitary dwelling accommodations and related facilities effectively supplementing the accommodations and facilities in low-rent housing assisted under the other provisions of this Act in a manner calculated to meet the total housing needs of the community in which they are located; and the term 'owner' means any person or entity having the legal right to lease or sublease property containing one or more dwelling units as described in this section.

"(b) Beginning as soon as practicable after the date of the enactment of this section, each public housing agency shall conduct a continuing survey and listing of the available dwelling units within the community or communities under its jurisdiction which provide decent, safe, and sanitary dwelling accommodations and related facilities and are, or may be made, suitable for use as low-rent housing in private accommodations under this section.

"(c) Each public housing agency, by notification to the owners of housing listed under subsection (b), or by publication or advertisement, or otherwise, shall from time to time make known to the public in the community or communities under its jurisdiction the anticipated need for dwelling units in such community or communities to be used as low-rent housing in private accommodations under this section, inviting the owners of such dwelling units to make available for purposes of this section one or more of such units (not exceeding 10 per centum of the units in any single structure except to the extent that the agency, because of the limited number of units in the structure or for any other reason, determines that such limit should not be applied). The public housing agency shall conduct appropriate inspections of the units offered to be made available in any residential structure by the owner thereof in response to such invitation, and if—

"(1) it finds that such units are, or may be made, suitable for use as low-rent housing in private accommodations within the meaning of subsection (a)(3), and

"(2) the rentals to be charged for such units, as negotiated and agreed to by the agency and the owner of the structure in a manner consistent with subsection (d)(2), are within the financial range of families of low income,

such agency may approve such units for use as low-rent housing in private accommodations in accordance with (and subject to the applicable limitations contained in) this section. Each public housing agency shall maintain and keep current a list of units approved by it under this subsection, including such information with respect to each such unit as it may consider necessary or appropriate.

"(d) To the extent of contracts for annual contributions entered into by the Authority with a public housing agency under section 10(e), such agency may enter into contracts with the owners of structures containing dwelling units approved under subsection (c) for the use of such units in accordance with this section. Each such contract with an owner shall provide (with respect to any unit) that—

75 Stat. 163.
42 USC 1410.

"(1) the selection of tenants for such unit shall be the function of the owner, subject to the provisions of the contract between the Authority and the agency;

"(2) the rental and other charges to be received by the owner shall be negotiated and agreed to by the agency and the owner, and the rental and other charges to be paid by the tenant shall be determined in accordance with the standards applicable to units in low-rent housing projects assisted under the other provisions of this Act;

"(3) the agency shall have the sole right to give notice to vacate, with the owner having the right to make representations to the agency for termination of a tenancy;

"(4) maintenance and replacements (including redecoration) shall be in accordance with the standard practice for the building concerned, as established by the owner and agreed to by the agency; and

"(5) the agency and the owner shall carry out such other appropriate terms and conditions as may be mutually agreed to by them.

Each contract between a public housing agency and an owner entered into under this subsection shall be for a term of not less than twelve months nor more than thirty-six months, and shall be renewable by such agency and owner at the expiration of such term.

"(e) The annual contribution under this Act for a project of a public housing agency for low-rent housing in private accommodations under this section in lieu of any other guaranteed contribution authorized by section 10 shall not exceed the amount of the fixed annual contribution which would be established under this Act for a newly constructed project by such public housing agency designed to accommodate the comparable number, sizes, and kinds of families. The period over which payments will be made to a public housing agency for a project of low-rent housing in private accommodations under this section, and the aggregate amount of such payments, under a contract for annual contributions, shall be determined on the basis of the number of units in the community or communities under the jurisdiction of such agency which are in use (or can reasonably be expected to be placed in use) as low-rent housing in private accommodations under this section, taking into account the terms of the leases under which such units are (or will be) so used. In addition, contracts for financial assistance entered into by the Authority with a public housing agency pursuant to this section shall provide for reimbursement of reasonable and necessary expenses incurred by such agency in conducting surveys, listings, and inspections described in subsections (b) and (c).

68 Stat. 631;
63 Stat. 422.
42 USC 1410, 1415.

"(f) The provisions of sections 10(h) and 15(7) of this Act, and the workable program requirement in section 10(e) of this Act and section

101(c) of the Housing Act of 1949, shall not apply to low-rent housing in private accommodations provided under this section." *Ante*, p. 453.

(b) The last sentence of section 2(1) of such Act is amended by striking out "Income limits for occupancy and rents" and inserting in lieu thereof "Except as otherwise provided in section 23, income limits for occupancy and rents". 73 Stat. 680. 42 USC 1402.

PARITY OF TREATMENT FOR THE HANDICAPPED AND ELDERLY IN PUBLIC HOUSING

SEC. 104. Section 2(2) of the United States Housing Act of 1937 is amended to read as follows: 78 Stat. 794.

"(2) The term 'families of low income' means families (including elderly and displaced families) who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use. The term 'families' includes families consisting of a single person in the case of elderly families and displaced families, and includes the remaining member of a tenant family. The term 'elderly families' means families whose heads (or their spouses), or whose sole members, have attained the age at which an individual may elect to receive an old-age benefit under title II of the Social Security Act, or are under a disability as defined in section 223 of that Act, or are handicapped within the meaning of section 202 of the Housing Act of 1959. The term 'displaced families' means families displaced by urban renewal or other governmental action, or families whose present or former dwellings are situated in areas determined by the Small Business Administration, subsequent to April 1, 1965, to have been affected by a natural disaster, and which have been extensively damaged or destroyed as the result of such disaster." 49 Stat. 622; 70 Stat. 815. 42 USC 401-425.

DIRECT LOANS TO PROVIDE HOUSING FOR THE ELDERLY OR HANDICAPPED

SEC. 105. (a) Section 202(a)(4) of the Housing Act of 1959 is amended by striking out "$350,000,000" and inserting in lieu thereof "$500,000,000". 78 Stat. 783. 12 USC 1701q.

(b) Effective with respect to loans made on or after the date of the enactment of this Act, section 202(a)(3) of such Act is amended by striking out "the higher of (A) 2¾ per centum per annum, or" and inserting in lieu thereof "the lower of (A) 3 per centum per annum, or". 73 Stat. 667.

REHABILITATION GRANTS TO HOMEOWNERS IN URBAN RENEWAL AREAS

SEC. 106. (a) Title I of the Housing Act of 1949 is amended by adding at the end thereof the following new section: 63 Stat. 414. 42 USC 1450-1465.

"REHABILITATION GRANTS

"SEC. 115. (a) Notwithstanding any other provision of this title, the Administrator may authorize a local public agency to make grants (and the urban renewal project may include the making of such grants) as prescribed in this section. Any such grant may be made only to an individual or family, as described in subsection (b), who owns and occupies a structure in an urban renewal area, and only for the purpose of covering the cost of repairs and improvements necessary to make such structure conform to public standards for decent, safe, and sanitary housing as required by applicable codes or other requirements of the urban renewal plan for the area. Any contract for financial assistance under this title shall provide that the capital grant

otherwise payable for the project shall be increased by an amount equal to the total amount of the grants under this section and that no part of the total amount of such grants shall be required to be contributed as part of the local grant-in-aid.

"(b) A grant authorized by this section may be made to an individual or family whose income does not exceed $3,000 a year, and such grant may be in the amount which does not exceed the lesser of (1) the actual (and approved) cost of the repairs and improvements involved, or (2) $1,500. In case the income of the individual or family exceeds $3,000 a year, a grant may be made under this section, subject to the limitations specified in clauses (1) and (2) of the preceding sentence, but only in an amount not to exceed that portion of the cost of the repairs and improvements which cannot be paid for with any available loan that can be amortized as part of such individual's or family's monthly housing expense without requiring such monthly housing expense to exceed 25 per centum of such individual's or family's monthly income."

63 Stat. 414.
42 USC 1450-1465.

(b) Any contract with a local public agency which was executed under title I of the Housing Act of 1949 before the date of enactment of this Act may be amended to provide for grants authorized by section 115 of the Housing Act of 1949.

MORTGAGE RELIEF FOR HOMEOWNERS WHO ARE UNEMPLOYED AS THE RESULT OF THE CLOSING OF A FEDERAL INSTALLATION

SEC. 107. (a) For the purposes of this section—

48 Stat. 1246.
12 USC 1701.
58 Stat. 284;
72 Stat. 1203, 1273.
38 USC 1801-1825.

(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.

(2) The term "Federal mortgage agency" means—

(A) the Federal Housing Commissioner 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) is unemployed, although willing to work, as the result of the closing (in whole or in part) of a Federal installation, and

(B) is the owner-occupant of a dwelling upon which there is a mortgage securing a loan which is in default because of the inability of such individual to make payments of principal and/or interest 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 of principal and/or interest under such mortgage during a temporary period is necessary in order to avoid such foreclosure.

Certificate of moratorium.

(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—

(A) the mortgagor is not in default with respect to any condition or covenant of the mortgage other than that requiring the payment of installments of principal and/or interest under the mortgage, and

(B) such action is the only available means whereby a foreclosure of such mortgage can be avoided.

(3) Prior to the issuance to any distressed mortgagor of a certificate of moratorium under paragraph (2), the Federal mortgage agency shall require such mortgagor to enter into a binding agreement under which he 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). The manner and time in which such payments shall be made shall be determined by the Federal mortgage agency having due regard to the purposes sought to be achieved by this section.

(4) Any certificate of moratorium issued under this subsection shall expire on whichever of the following dates is the earliest—

(A) one year from the date on which such certificate is issued;

(B) thirty days after the date on which the mortgagor to whom such certificate is issued ceases to be a distressed mortgagor as defined in subsection (a); or

(C) the date on which such mortgagor becomes in default with respect to any condition or covenant in his mortgage other than that requiring the payment by him of installments of principal and/or interest under the mortgage.

(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 of principal, and, if so specified in the certificate, of interest, 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 shall include, in addition to the payments referred to in paragraph (1), an amount equal to the unpaid principal and interest charges which had accrued under such mortgage prior to the issuance of such certificate and subsequent to the date on which such mortgagor became a distressed mortgagor as defined in subsection (a).

(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 of principal, and, if so specified in the certificate, of interest, 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 Federal Housing Commissioner for the purpose of extending financial assistance in behalf of distressed mortgagors as provided in subsection (c), and (2) a fund which shall be available to the Administrator of Veterans' Affairs for the same purpose. 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 pro-

grams 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 Federal Housing Commissioner, 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.

72 Stat. 1212.

(f) Section 1816 of title 38, United States Code, is amended by inserting "(a)" before the text of such section, and by adding at the end thereof a new subsection as follows:

78 Stat. 380.

"(b) With respect to any loan made under section 1811 which has not been sold as provided in subsection (g) of such section, if the Administrator finds, after there has been a default in the payment of any installment of principal or interest owing on such loan, that the default was due to the fact that the veteran who is obligated under the loan has become unemployed as the result of the closing (in whole or in part) of a Federal installation, he shall (1) extend the time for curing the default to such time as he determines is necessary and desirable to enable such veteran to complete payments on such loan, including an extension of time beyond the stated maturity thereof, or (2) modify the terms of such loan for the purpose of changing the amortization provisions thereof by recasting, over the remaining term of the loan, or over such longer period as he may determine, the total unpaid amount then due with the modification to become effective currently or upon the termination of an agreed-upon extension of the period for curing the default."

ACQUISITION OF CERTAIN PROPERTIES SITUATED AT OR NEAR MILITARY BASES WHICH HAVE BEEN ORDERED TO BE CLOSED

SEC. 108. (a) The Secretary of Defense is authorized to acquire title to 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, employed or performing military service, at such base or installation;

(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 such base or installation; and

(3) that as the result of the actual or pending closing of such base or installation there is no present market for the sale of such property upon reasonable terms and conditions.

(b) The purchase price of any property which is situated at or near a military base or installation and is acquired under this section shall be equal to an amount determined by the Secretary of Defense to be the average price at which properties, similar in size, construction, condition, and location to that of the property to be acquired, were sold during a representative period, as determined by the Secretary, prior to the announcement of the intention of the Department of Defense to close all or part of such base or installation.

(c) The title to any property acquired under this section shall be free and clear of any outstanding liens or encumbrances and shall conform to such requirements as the Secretary of Defense shall by regulation require. Such regulations shall also prescribe the terms and conditions under which payments may be made under this section, and decisions by the Secretary regarding such payments, and the terms and conditions under which the same are approved or disapproved, shall be final and conclusive and shall not be subject to judicial review.

(d) Properties acquired under this section shall be transferred to the Federal Housing Commissioner, and the Federal Housing Commissioner shall have power to deal with, rent, renovate, or sell for cash or credit any properties so transferred. Receipts from the management or sale of any such properties may be utilized by the Commissioner to defray expenses arising in connection with the management of such properties, and any part of such receipts not required for such expenses shall be covered into the Treasury as miscellaneous receipts.

(e) Section 223(a) of the National Housing Act is amended— 68 Stat. 605; 69 Stat. 484. 12 USC 1715n.

(1) by striking out the period at the end of paragraph (7) and inserting in lieu thereof "; or"; and

(2) by inserting after paragraph (7) a new paragraph as follows:

"(8) executed in connection with the sale by the Commissioner of any housing acquired pursuant to section 108 of the Housing and Urban Development Act of 1965."

(f) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated, and any sums so appropriated shall remain available until expended.

TITLE II—FHA INSURANCE OPERATIONS

LAND DEVELOPMENT

SEC. 201. (a) The National Housing Act is amended by adding at the end thereof the following new title: 48 Stat. 1246. 12 USC 1701 and note.

"TITLE X—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

"DEFINITIONS

"SEC. 1001. As used in this title—

"(a) the term 'mortgage' means a lien or liens on real estate in fee simple, or on a leasehold (1) under a lease for not less than ninety-nine years which is renewable, or (2) under a lease having a period of not less than fifty years to run from the date the mortgage was executed;

"(b) the term 'first mortgage' includes 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 may be in the form of trust mortgages or mortgage indentures or deeds of trusts securing notes, bonds, or other credit instruments;

"(c) the terms 'mortgage', 'mortgagor', and 'State' have the same meaning as in section 207 of this Act;

52 Stat. 16.
12 USC 1713.

"(d) the term 'improvements' means waterlines and water supply installations, sewerlines and sewerage disposal installations, roads, streets, curbs, gutters, sidewalks, storm drainage facilities, and other installations or work, whether on or off the site, which the Commissioner deems necessary or desirable to prepare land primarily for residential and related uses or to provide facilities for public or common use; but such term shall not include any building unless it is (1) a building which is needed in connection with a water supply or sewage disposal installation, or (2) a building, other than a school, which is to be owned and maintained jointly by the property owners; and

"(e) the term 'land development' means the process of making, installing, or constructing improvements.

"BASIC CONDITIONS FOR INSURANCE

"SEC. 1002. (a) The Commissioner is authorized (1) to insure, upon such terms and conditions as he may prescribe, any first mortgage (including advances on such mortgage) in accordance with the provisions of this title, and (2) to make a commitment for the insurance of such mortgage prior to the date of execution of such mortgage or prior to the date of disbursement of the mortgage proceeds. No mortgage shall be insured under this title after October 1, 1969, except pursuant to a commitment to insure issued before such date.

"(b) The mortgage shall—

"(1) be executed by a mortgagor, other than a public body, approved by the Commissioner;

"(2) be made to and held by a mortgagee approved by the Commissioner; and

"(3) cover the land to be developed and the improvements to be made with the assistance of the mortgage insurance under this title, except facilities intended for public use and in public ownership.

"(c) The principal obligation of the mortgage shall (1) not exceed 75 per centum of the Commissioner's estimate of the value of the property upon completion of the land development, and (2) not exceed the sum of 50 per centum of the Commissioner's estimate of the value of the land before development and 90 per centum of his estimate of the cost of such development. The outstanding principal obligations of mortgages involving a single land development undertaking, as defined by the Commissioner, shall at no time exceed $10,000,000.

"(d) The mortgage shall—

"(1) have a maturity not to exceed seven years or such longer maturity as the Commissioner deems reasonable in the case of a privately owned system for water or sewerage, and contain repayment provisions satisfactory to the Commissioner;

"(2) bear interest at a rate satisfactory to the Commissioner, and such interest shall be exclusive of premium charges for mortgage insurance and such service charges and fees as may be approved by the Commissioner; and

"(3) contain such terms and provisions with respect to protection of the security, payment of taxes, delinquency charges, prepayment, additional and secondary liens, and other matters as the Commissioner may in his discretion prescribe.

"(e) A property or project to be financed by a mortgage insured under this title shall—

"(1) represent a good mortgage insurance risk; and

"(2) involve improvements that comply with all applicable State and local governmental requirements and with minimum standards approved by the Commissioner.

"LAND PLANNING

"SEC. 1003. (a) The land development covered by a mortgage insured under this title shall be undertaken pursuant to a schedule, conforming to such requirements and procedures as the Commissioner may prescribe, that will assure the use of the land for the purposes for which it is to be developed within the shortest reasonable period consistent with the objectives of sound and economic community growth or urban development.

"(b) The land development shall be undertaken in accordance with an overall development plan, appropriate to the scope and character of the undertaking, which—

"(1) has received all governmental approvals required by State or local law or by the Commissioner;

"(2) is acceptable to the Commissioner as providing reasonable assurance that the land development will contribute to good living conditions in the area being developed, which area (A) will have a sound economic base and a long economic life, (B) will be characterized by sound land-use patterns, and (C) will include or be served by such shopping, school, recreational, transportation, and other facilities as the Commissioner deems adequate or necessary; and

"(3) is consistent with a comprehensive plan which covers, or with comprehensive planning being carried on for, the area in which the land is situated, and which meets criteria established by the Housing and Home Finance Administrator for such plans or planning.

"ENCOURAGEMENT OF SMALL BUILDERS AND MODERATE COST HOUSING

"SEC. 1004. The Commissioner shall adopt such requirements as he deems necessary in land development covered by mortgages insured under this title to encourage the maintenance of a diversified local homebuilding industry, broad participation by builders, and the inclusion of a proper balance of housing for families of moderate or low income.

"WATER AND SEWERAGE FACILITIES

"SEC. 1005. 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 the Commissioner may approve an adequate privately or cooperatively owned system which will be regulated in a manner acceptable to him with respect to user rates and charges, capital structure, methods of operation, rate of return, and conditions and terms of any sale or transfer.

"RELEASES

"SEC. 1006. The Commissioner may, on such terms and conditions as he may prescribe, consent to the release or subordination of a part or parts of the mortgaged property from the lien of the mortgage.

"PREMIUMS AND FEES

"SEC. 1007. The Commissioner shall collect reasonable premiums for the insurance of any mortgage under this title and make such charges as he determines are reasonable for the analysis of the land development plan and the appraisal and inspection of the property and improvements. On or before January 1, 1967, the Commissioner shall make a report to the Congress concerning the premium rates and other charges under this title that he estimates will be adequate to provide income sufficient for a self-supporting program.

Report to Congress.

"INSURANCE BENEFITS

"SEC. 1008. The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of this Act shall be applicable to mortgages insured under this title, except that as applied to such mortgages (1) any reference therein to section 207 shall be deemed to refer to this title, and (2) any reference to an annual premium shall be deemed to refer to such premiums as the Commissioner may designate under this title.

52 Stat. 16.
12 USC 1713.

"INCONTESTABILITY PROVISIONS

"SEC. 1009. Any contract of insurance executed by the Commissioner under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract of 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 material misrepresentation on the part of such approved mortgagee.

"RULES AND REGULATIONS

"SEC. 1010. The Commissioner is authorized to make such rules and regulations and to require such agreements as he may deem necessary or desirable to carry out the provisions of this title.

"TAXATION PROVISIONS

"SEC. 1011. Nothing in this title shall be construed to exempt any real property acquired and held by the Commissioner under this title from taxation by any State or political subdivision thereof to the same extent, according to its value, as other real property is taxed.

"COST CERTIFICATION

"SEC. 1012. (a) The Commissioner shall adopt such requirements as he determines necessary to assure, at reasonable intervals of time during land development and upon completion of such development, that the amount of the mortgage loan outstanding at each such interval does not exceed with respect to that portion of the land remaining under the lien of the mortgage (1) 50 per centum of the Commissioner's estimate of the value of such remaining land before development, plus (2) 90 per centum of the actual costs of the development allocated by the Commissioner to such remaining land.

"(b) From time to time during, and upon completion of, the development, the Commissioner shall require the mortgagor to certify as to the actual costs of development of the land.

"(c) Certifications required pursuant to this section shall be accompanied by such data and records as the Commissioner shall prescribe.

"(d) A mortgagor's certification approved by the Commissioner shall be final and incontestable except for fraud or material misrepresentation on the part of the mortgagor.

"(e) As used in this section, the term 'actual costs' means the costs (exclusive of kickbacks, rebates, or trade discounts) to the mortgagor of the improvements involved. These costs may include amounts paid for labor, materials, construction contracts, land planning, engineers' and architect's fees, surveys, taxes, and interest during development, organizational and legal expenses, such allocation of general overhead expenses as are acceptable to the Commissioner, and other items of expense incidental to development which may be approved by the Commissioner. If the Commissioner determines there is an identity of interest between the mortgagor and the contractor, there may be included an allowance for contractor's profit in an amount deemed reasonable by the Commissioner."

(b)(1) Section 302(b) of the National Housing Act is amended by striking out "the term 'mortgages' " in the last sentence and inserting in lieu thereof "the terms 'mortgages' and 'home mortgages' ". 75 Stat. 158. 12 USC 1717.

(2) The first paragraph of section 24 of the Federal Reserve Act is amended by inserting before the next to last sentence the following new sentence: "Notwithstanding the foregoing limitations and restrictions in this section, any national banking association may make loans for land development which are secured by mortgages insured under title X of the National Housing Act." 69 Stat. 633. 12 USC 371.

(3) Section 5(c) of the Home Owners Loan Act of 1933 is amended by adding at the end thereof the following new paragraph: 48 Stat. 132. 12 USC 1464.

"Without regard to any other provision of this subsection, any such association may, to such extent as the Federal Home Loan Bank Board may by regulation permit, invest in loans, and interests in loans, (1) secured by mortgages as to which the association has the benefit of insurance under title X of the National Housing Act or of a commitment or agreement for such insurance, or (2) guaranteed by the President under section 224 of the Foreign Assistance Act of 1961, as amended. Investments under clause (1) of this paragraph shall not be included in any percentage of assets or other percentage referred to in this subsection. Investments under clause (2) of this paragraph shall not exceed, in the case of any association, 1 per centum of the assets of such association." Post p. 655.

(4) Section 212(a) of the National Housing Act is amended by inserting at the end thereof the following new sentence: "The provisions of this section shall also apply to insurance under title X with respect to laborers and mechanics employed in land development financed with the proceeds of any mortgage insured under that title." 53 Stat. 807. 12 USC 1715c.

EXTENSION OF INSURANCE AUTHORIZATIONS

SEC. 202. (a) Section 2(a) of the National Housing Act is amended by striking out "October 1, 1965" and inserting in lieu thereof "October 1, 1969". 75 Stat. 177. 12 USC 1703.

(b) Section 217 of such Act is amended— 12 USC 1715h.

(1) by striking out "title VIII" and inserting in lieu thereof "title VIII, or title X", and

(2) by striking out "October 1, 1965" and inserting in lieu thereof "October 1, 1969".

77 Stat. 163.
12 USC 1748h-1, 1748h-2.

(c) The second sentences of sections 809(f) and 810(k) of such Act are each amended by striking out "October 1, 1965" and inserting in lieu thereof "October 1, 1969".

MORTGAGE LIMITS FOR HOMES UNDER SECTION 203(b)

71 Stat. 295; 75 Stat. 178.
12 USC 1709.

SEC. 203. Clause (iii) of section 203(b)(2) of the National Housing Act is amended by striking out "75 per centum" and inserting in lieu thereof "80 per centum".

DOWNPAYMENT REQUIREMENT IN CASE OF LOW-INCOME HOUSING DEMONSTRATION HOMES

SEC. 204. Section 203(b)(9) of the National Housing Act is amended by inserting after "a mortgage meeting the requirements of subsection (i) of this section," the following: "or with respect to a mortgage covering a single-family home being purchased under the low-income housing demonstration project assisted pursuant to section 207 of the Housing Act of 1961,".

75 Stat. 165.
42 USC 1436.

MORTGAGE LIMIT FOR HOMES IN OUTLYING AREAS UNDER FHA SECTION 203(i) PROGRAM

SEC. 205. Section 203(i) of the National Housing Act is amended by striking out "$11,000" and inserting in lieu thereof "$12,500".

FHA MORTGAGE FINANCING FOR VETERANS

SEC. 206. (a) Section 203(b)(2) of the National Housing Act is amended—

(1) by striking out "and not to exceed" and inserting in lieu thereof "and (except as provided in the next to the last sentence of this paragraph) not to exceed"; and

(2) by adding at the end thereof the following new sentences: "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 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 (i) 100 per centum of $15,000 of the appraised value of the property as of the date the mortgage is accepted for insurance, (ii) 90 per centum of such value in excess of $15,000 but not in excess of $20,000, and (iii) 85 per centum of such value 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."

(b) Section 203(b)(9) of such Act is amended by inserting after "on account of the property" the following: "(except in a case to which the next to the last sentence of paragraph (2) applies)".

MULTIFAMILY MORTGAGE LIMITS FOR FOUR OR MORE BEDROOM UNITS

SEC. 207. (a) Section 207(c)(3) of the National Housing Act is amended— 78 Stat. 774. 12 USC 1713.

(1) by striking out "and $18,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms,"; and

(2) by striking out "and $22,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

(b)(1) Section 213(b)(2) of such Act is amended— 12 USC 1715e.

(A) by striking out "and $18,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms"; and

(B) by striking out "and $22,500 per family unit with three or more bedrooms" and inserting in lieu thereof "22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

(2) Section 213(c) of such Act is amended by striking out "and not to exceed" and all that follows and inserting in lieu thereof the following: "and not to exceed a sum computed on the basis of a separate mortgage for each single-family dwelling (irrespective of whether such dwelling has a party wall or is otherwise physically connected with another dwelling or dwellings) comprising the property or project, equal to the total of each of the maximum principal obligations of such mortgages which would meet the requirements of section 203(b)(2) if the mortgagor were the owner and occupant who had made any required payment on account of the property prescribed in such paragraph." 64 Stat. 55. 71 Stat. 294. 12 USC 1709.

(c) Section 220(d)(3)(B)(iii) of such Act is amended— 78 Stat. 775. 12 USC 1715k.

(1) by striking out "and $18,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms"; and

(2) by striking out "and $22,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

(d) Section 221(d) of such Act is amended— 12 USC 1715l.

(1) by striking out "and $17,000 per family unit with three or more bedrooms" in paragraphs (3)(ii) and (4)(ii) and inserting in lieu thereof "$17,000 per family unit with three bedrooms, and $19,250 per family unit with four or more bedrooms"; and

(2) by striking out "and $20,000 per family unit with three or more bedrooms" in paragraphs (3)(ii) and (4)(ii) and inserting in lieu thereof "$20,000 per family unit with three bedrooms, and $22,750 per family unit with four or more bedrooms".

(e) Section 231(c)(2) of such Act is amended— 12 USC 1715v.

(1) by striking out "and $17,000 per family unit with three or more bedrooms" and inserting in lieu thereof "$17,000 per family unit with three bedrooms, and $19,250 per family unit with four or more bedrooms"; and

(2) by striking out "and $20,000 per family unit with three or more bedrooms" and inserting in lieu thereof "$20,000 per family unit with three bedrooms, and $22,750 per family unit with four or more bedrooms".

78 Stat. 780, 781.
12 USC 1715y.

(f) Section 234(e)(3) of such Act is amended—

(1) by striking out "and $18,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$18,500 per family unit with three bedrooms, and $21,000 per family unit with four or more bedrooms"; and

(2) by striking out "and $22,500 per family unit with three or more bedrooms" and inserting in lieu thereof "$22,500 per family unit with three bedrooms, and $25,500 per family unit with four or more bedrooms".

MUTUALITY FOR MANAGEMENT-TYPE COOPERATIVES

Cooperative Management Housing Insurance Fund.
64 Stat. 54.
12 USC 1715e.

SEC. 208. (a) Section 213 of the National Housing Act is amended by adding at the end thereof the following new subsections:

"(k) There is hereby created a Cooperative Management Housing Insurance Fund (hereinafter referred to as the 'Management Fund'). The Management Fund shall be used by the Commissioner as a revolving fund for carrying out the provisions of this section with respect to mortgages or loans insured, on or after the date of the enactment of this subsection, under subsections (a)(1), (a)(3) (if the project is acquired by a cooperative corporation), (i), and (j). The Management Fund shall also be used as a revolving fund for mortgages, loans, and commitments transferred to it pursuant to subsection (m). The Commissioner is directed to transfer to the Management Fund from the General Insurance Fund established pursuant to section 519 such amount as the Commissioner determines to be necessary and appropriate. General expenses of operation of the Federal Housing Administration relating to mortgages or loans which are the obligation of the Management Fund may be charged to the Management Fund.

Post, p. 471.

General Surplus Accounts; Participating Reserve Accounts.

"(l) The Commissioner shall establish in the Management Fund, as of the date of the enactment of this subsection, a General Surplus Account and a Participating Reserve Account. The aggregate net income thereafter received or any net loss thereafter sustained by the Management Fund, in any semiannual period, shall be credited or charged to the General Surplus Account or the Participating Reserve Account or both in such manner and amounts as the Commissioner may determine to be in accord with sound actuarial and accounting practice. Upon termination of the insurance obligation of the Management Fund by payment of any mortgage or loan insured under this section, and at such time or times prior to such termination as the Commissioner may determine, the Commissioner is authorized to distribute to the mortgagor or borrower a share of the Participating Reserve Account in such manner and amount as the Commissioner shall determine to be equitable and in accordance with sound actuarial and accounting practice: *Provided*, That in no event shall the amount of the distributable share exceed the aggregate scheduled annual premiums of the mortgagor or borrower to the year of payment of the share less the total amount of any share or shares previously distributed by the Commissioner to the mortgagor or borrower: *And provided further*, That in no event may a distributable share be distributed until any funds transferred from the General Insurance Fund to the Management Fund pursuant to subsection (k) or (o) have been repaid in full to the General Insurance Fund. No mortgagor, mortgagee, borrower, or lender shall have any vested right in a credit balance in any such account or be subject to any liability arising out of the mutuality of the Management Fund. The determination of the Commissioner as to the amount to be paid by him to any mortgagor or borrower shall be final and conclusive.

"(m) The Commissioner is authorized to transfer to the Management Fund commitments for insurance issued under subsections (a)(1), (i), and (j) prior to the date of the enactment of this subsection, and to transfer to the Management Fund the insurance of any mortgage or loan insured prior to the date of the enactment of this subsection under subsection (a)(1), (a)(3) (if the project is acquired by a cooperative corporation), (i), or (j), 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: *Provided*, That the insurance of any mortgage or loan shall not be transferred under the provisions of this subsection if on the date of the enactment of this subsection the mortgage or loan is in default and the mortgagee or lender has notified the Commissioner in writing of its intention to file an insurance claim. Any insurance or commitment not so transferred shall continue to be an obligation of the General Insurance Fund.

"(n) Notwithstanding the limitations contained in other provisions of this Act, premium charges for mortgages or loans insured under this section and sections 207, 231, and 232 may be payable in debentures issued in connection with mortgages or loans transferred to the Management Fund or in connection with mortgages or loans insured pursuant to commitments transferred to the Management Fund, as provided in subsection (m) of this section.

52 Stat. 16; 73 Stat. 665, 663. 12 USC 1713, 1715v, 1715w.

"(o) Notwithstanding any other provision of this Act, the Commissioner is authorized to transfer funds between the Cooperative Management Housing Insurance Fund and the General Insurance Fund in such amounts and at such times as he may determine, taking into consideration the requirements of each such Fund, to assist in carrying out effectively the insurance programs for which such Funds were respectively established."

(b) Section 213 of such Act is further amended—

64 Stat. 54. 12 USC 1715e.

(1) by inserting before the period at the end of subsection (a) the following: ": *Provided*, That as applied to mortgages the mortgage insurance for which is the obligation of the Management Fund, the reference to the General Insurance Fund in section 207(b)(2) shall be construed to refer to the Management Fund"; and

(2) by inserting before the period at the end of subsection (e) the following: ": *Provided*, That as applied to mortgages or loans the insurance for which is the obligation of the Management Fund (1) all references to the General Insurance Fund shall be construed to refer to the Management Fund, and (2) all references to section 207 shall be construed to refer to subsections (a)(1), (a)(3) (if the project involved is acquired by a cooperative corporation), (i), and (j) of this section".

REHABILITATION IN URBAN RENEWAL AREAS

SEC. 209. Section 220(d)(3)(A) of the National Housing Act is amended—

71 Stat. 296; 75 Stat. 154. 12 USC 1715k.

(1) by striking out the second proviso in clause (i); and

(2) by striking out clause (ii) and inserting in lieu thereof the following:

"(ii) in a case where the mortgagor is not the occupant of the property and intends to hold the property for rental purposes, have a principal obligation in an amount not to exceed 93 per centum of the amount computed under the provisions of clause (i);

"(iii) in a case where the mortgagor is not the occupant of the property and intends to hold the property for the purpose of sale, have a principal obligation in an amount not to exceed 85 per centum of the amount computed under the provisions of clause (i), or in the alternative, in an amount equal to the amount computed under the provisions of clause (i) if the mortgagor and mortgagee assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 per centum of the outstanding principal amount thereof, or by such greater amount as may be required to meet the limitations of clause (iv), in the event the mortgaged property is not, prior to the due date of the eighteenth amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness; and

"(iv) in no case involving refinancing (except as provided in clause (iii)) have a principal obligation in an amount exceeding the sum of the estimated cost of repair and rehabilitation and the amount (as determined by the Commissioner) required to refinance existing indebtedness secured by the property or project, plus any existing indebtedness incurred in connection with improving, repairing, or rehabilitating the property; or".

NONDWELLING FACILITIES FOR URBAN RENEWAL HOUSING

73 Stat. 658.
12 USC 1715k.

SEC. 210. Section 220(d)(3)(B) of the National Housing Act is amended by striking out clause (iv) and inserting in lieu thereof the following:

"(iv) include such nondwelling facilities as the Commissioner deems desirable and consistent with the urban renewal plan: *Provided*, That the project shall be predominantly residential and any nondwelling facility included in the mortgage shall be found by the Commissioner to contribute to the economic feasibility of the project, and the Commissioner shall give due consideration to the possible effect of the project on other business enterprises in the community."

LARGER HOME IMPROVEMENT LOANS IN HIGH COST AREAS

75 Stat. 155.

SEC. 211. (a) Section 220(h)(2)(i) of the National Housing Act is amended by inserting before the semicolon at the end thereof ": *Provided*, That the Commissioner may, by regulation, increase such amount by not to exceed 45 per centum in any geographical area where he finds that cost levels so require".

78 Stat. 778.

(b) Section 220(h)(11) of such Act is amended by inserting before the period at the end thereof "or such additional amount as the Commissioner has by regulation prescribed in any geographical area where he finds cost levels so require pursuant to the authority vested in him by the proviso in paragraph (2)(i) of this subsection".

LARGER INSURED MORTGAGES FOR SERVICEMEN

71 Stat. 296;
73 Stat. 661.
12 USC 1715m.

SEC. 212. Section 222(b) of the National Housing Act is amended—

(1) by striking out "$20,000" in paragraph (2) and inserting in lieu thereof "$30,000"; and

(2) by striking out paragraph (3) and inserting in lieu thereof the following:

"(3) have a principal obligation not in excess of the sum of (i) 97 per centum of $15,000 of the appraised value of the property

as of the date the mortgage is accepted for insurance, (ii) 90 per centum of such value in excess of $15,000 but not in excess of $20,000, and (iii) 85 per centum of such value in excess of $20,000; and".

REFINANCING OF INSURED MORTGAGES

SEC. 213. Section 223(a)(7) of the National Housing Act is amended by striking out "section 608 of title VI prior to the effective date of the Housing Act of 1954 or under section 220, 221, 903, or section 908" and inserting in lieu thereof "this Act". 12 USC 1715n.

CONSOLIDATION OF FHA INSURANCE FUNDS

SEC. 214. Title V of the National Housing Act is amended by adding at the end thereof the following new section: 12 USC 1731a-1735b.

"ESTABLISHMENT OF GENERAL INSURANCE FUND

"SEC. 519. (a) There is hereby created a General Insurance Fund which shall be used by the Commissioner, on and after the date of the enactment of the Housing and Urban Development Act of 1965, as a revolving fund for carrying out all the insurance provisions of this Act with the exception of those specified in subsection (e). All mortgages or loans insured under this Act pursuant to commitments issued on or after the date of the enactment of the Housing and Urban Development Act of 1965, except those specified in subsection (e), and all loans reported for insurance under section 2 on or after the date of the enactment of the Housing and Urban Development Act of 1965, shall be insured under the General Insurance Fund. The Commissioner shall transfer to the General Insurance Fund—

"(1) the assets and liabilities of all insurance accounts and funds, except the Mutual Mortgage Insurance Fund, existing under this Act immediately prior to the enactment of the Housing and Urban Development Act of 1965;

"(2) all outstanding commitments for insurance issued prior to the date of the enactment of the Housing and Urban Development Act of 1965, except those specified in subsection (e);

"(3) the insurance on all mortgages and loans insured prior to the date of the enactment of the Housing and Urban Development Act of 1965, except insurance specified in subsection (e); and

"(4) the insurance of all loans made by approved financial institutions pursuant to section 2 prior to the date of the enactment of the Housing and Urban Development Act of 1965.

"(b) The general expenses of the operations of the Federal Housing Administration relating to mortgages and loans which are the obligation of the General Insurance Fund may be charged to the General Insurance Fund.

"(c) Moneys in the General Insurance Fund not needed for the current operations of the Federal Housing Administration with respect to mortgages and loans which are the obligation of the General Insurance Fund shall be deposited with the Treasurer of the United States to the credit of such Fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Commissioner may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued as obligations of the General Insurance Fund or issued prior to the enactment of the Housing and Urban

Development Act of 1965 under other provisions of this Act, except debentures issued under the Mutual Mortgage Insurance Fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

"(d) Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any mortgage or loan which is the obligation of the General Insurance Fund, the receipts derived from the property covered by such mortgages and loans and from the claims, debts, contracts, property, and security assigned to the Commissioner in connection therewith, and all earnings on the assets of the Fund shall be credited to the General Insurance Fund. The principal of, and interest paid and to be paid on, debentures which are the obligation of such Fund, cash insurance payments and adjustments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired, in connection with mortgages and loans which are the obligation of such Fund, shall be charged to such Fund.

12 USC 1709, 1715e.

"(e) The General Insurance Fund shall not be used for carrying out the provisions of sections 203(b), 203(h), and 203(i), or the provisions of section 213 to the extent that they involve mortgages the insurance for which is the obligation of the Cooperative Management Housing Insurance Fund created by section 213(k); and nothing in this section shall apply to or affect any mortgages, loans, commitments, or insurance under such provisions."

Ante, p. 468.

OPTIONAL CASH PAYMENT OF INSURANCE BENEFITS

SEC. 215. Title V of the National Housing Act is amended by adding at the end thereof (after the new section added by section 214 of this Act) the following new section:

"OPTIONAL CASH PAYMENT OF INSURANCE BENEFITS

"SEC. 520. (a) Notwithstanding any other provisions of this Act with respect to the payment of insurance benefits, the Commissioner is authorized, in his discretion, to pay in cash or in debentures any insurance claim or part thereof which is paid on or after the date of the enactment of the Housing and Urban Development Act of 1965 on a mortgage or a loan which was insured under any section of this Act either before or after such date. If payment is made in cash, it shall be in an amount equivalent to the face amount of the debentures that would otherwise be issued plus an amount equivalent to the interest which the debentures would have earned, computed to a date to be established pursuant to regulations issued by the Commissioner.

"(b) The Commissioner is authorized to borrow from the Treasury from time to time such amounts as the Commissioner shall determine are necessary to make payments in cash (in lieu of issuing debentures guaranteed by the United States, as provided in this Act) pursuant to the provisions of this section. Notes or other obligations issued by the Commissioner in borrowing under this subsection shall be subject to such terms and conditions as the Secretary of the Treasury may prescribe. Each sum borrowed pursuant to this subsection shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of such notes or other obligations."

APPROVAL OF TECHNICALLY SUITABLE MATERIALS

SEC. 216. Title V of the National Housing Act is amended by inserting after section 520 (added by section 215 of this Act) a new section as follows:

"APPROVAL OF TECHNICALLY SUITABLE MATERIALS

"SEC. 521. The Commissioner shall adopt a uniform procedure for the acceptance of materials and products to be used in structures approved for mortgages or loans insured under this Act. Under such procedure any material or product which the Commissioner finds is technically suitable for the use proposed shall be accepted. Acceptance of a material or product as technically suitable shall not be deemed to restrict the discretion of the Commissioner to determine that a structure, with respect to which a mortgage is executed, is economically sound or an acceptable risk."

WATER AND SEWER FACILITIES IN CONNECTION WITH CERTAIN FEDERALLY ASSISTED HOUSING

SEC. 217. (a) Title V of the National Housing Act is amended by inserting after section 521 (added by section 216 of this Act) a new section as follows:

"WATER AND SEWER FACILITIES

"SEC. 522. Notwithstanding any other provision of this Act, no mortgage which covers new construction shall be approved for insurance under this Act (except pursuant to a commitment made prior to the date of the enactment of the Housing and Urban Development Act of 1965) if the mortgaged property includes housing which is not served by a public or adequate community water and sewerage system: *Provided*, That this limitation shall be applicable only to property which is not served by a system approved by the Commissioner pursuant to title X of this Act and which is situated in an area certified by appropriate local officials to be an area where the establishment of public or adequate community water and sewerage systems is economically feasible: *Provided further*, That for purposes of this section the economic feasibility of establishing such public or adequate community water and sewerage systems shall be determined without regard to whether such establishment is authorized by law or is subject to approval by one or more local governments or public bodies."

Ante, p. 461.

(b) Section 1804 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

72 Stat. 1206.

"(e) No loan for the purchase or construction of new residential property (other than property served by a water and sewerage system approved by the Federal Housing Commissioner pursuant to title X of the National Housing Act) shall be financed through the assistance of this chapter, except pursuant to a commitment made prior to the date of the enactment of the Housing and Urban Development Act of 1965, if such property is not served by a public or adequate community water and sewerage system and is located in an area where the appropriate local officials certify that the establishment of such systems is economically feasible. For purposes of this subsection, the economic feasibility of establishing public or adequate community water and sewerage systems shall be determined without regard to whether such establishment is authorized by law or is subject to approval by one or more local governments or public bodies."

49-850 O-66—33

TITLE III—URBAN RENEWAL

STUDY OF HOUSING AND BUILDING CODES, ZONING, TAX POLICIES, AND DEVELOPMENT STANDARDS

SEC. 301. (a) The Congress finds that the general welfare of the Nation requires that local authorities be encouraged and aided to prevent slums, blight, and sprawl, preserve natural beauty, and provide for decent, durable housing so that the goal of a decent home and a suitable living environment for every American family may be realized as soon as feasible. The Congress further finds that there is a need to study housing and building codes, zoning, tax policies, and development standards in order to determine how (1) local property owners and private enterprise can be encouraged to serve as large a part as they can of the total housing and building need, and (2) Federal, State, and local governmental assistance can be so directed as to place greater reliance on local property owners and private enterprise and enable them to serve a greater share of the total housing and building need. The Housing and Home Finance Administrator is therefore directed to study the structure of (1) State and local urban and suburban housing and building laws, standards, codes, and regulations and their impact on housing and building costs, how they can be simplified, improved, and enforced, at the local level, and what methods might be adopted to promote more uniform building codes and the acceptance of technical innovations including new building practices and materials; (2) State and local zoning and land use laws, codes, and regulations, to find ways by which States and localities may improve and utilize them in order to obtain further growth and development; and (3) Federal, State, and local tax policies with respect to their effect on land and property cost and on incentives to build housing and make improvements in existing structures.

Report to President and Congress.

(b) The Administrator shall submit a report based on such study to the President and to the Congress within 18 months after the date of the enactment of the Housing and Urban Development Act of 1965 or the appropriation of funds for the study, whichever is later.

(c) There are authorized to be appropriated such funds as may be necessary to carry out the purposes of this section. Any funds so appropriated shall remain available until expended.

WORKABLE PROGRAM REQUIREMENT

68 Stat. 623.
42 USC 1451.

SEC. 302. (a) (1) Section 101 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(e) No loan or grant contract may be entered into by the Administrator for an urban renewal project unless he determines that (1) the workable program for community improvement presented by the locality pursuant to subsection (c) is of sufficient scope and content to furnish a basis for evaluation of the need for the urban renewal project; and (2) such project is in accord with the program."

(2) The requirements imposed by the amendment made by paragraph (1) shall not be applicable to any project which received Federal recognition prior to the date of the enactment of this Act.

(b) Section 101(c) of such Act is amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of law, in the case of a contract with an Indian tribe, band, or nation (or a public housing or other public agency for such tribe, band, or nation established under State or tribal law), the workable program and minimum standards housing code, referred to in the preceding sentence, may be presented to the Administrator by such

tribe, band, or nation, and it shall be subject to the requirements of law with respect to such program and code only to the extent that such tribe, band, or nation has the legal jurisdiction and power to carry out such requirements."

GENERAL NEIGHBORHOOD RENEWAL PLANS

SEC. 303. Section 102(d) of the Housing Act of 1949 is amended— 70 Stat. 1099. 42 USC 1452.

(1) by striking out the first sentence of the second paragraph and inserting in lieu thereof the following:

"In order to facilitate proper preliminary planning for the attainment of the urban renewal objectives of this title, the Administrator may also make advances of funds (in addition to those authorized above) to local public agencies for the preparation of General Neighborhood Renewal Plans (as herein defined). A General Neighborhood Renewal Plan may be prepared for an area consisting of an urban renewal area or areas, together with any adjoining areas having specially related problems, and which is of such size that the urban renewal activities in the urban renewal area or areas may have to be initiated in stages, consistent with the capacity and resources of the respective local public agency or agencies, over an estimated period of not more than eight years."; and

(2) by striking out the first numbered paragraph and inserting in lieu thereof the following:

"(1) in the interest of sound community planning, it is desirable that the urban renewal activities proposed for the area be planned in their entirety;".

INCREASE IN AUTHORIZATION FOR CAPITAL GRANTS

SEC. 304. (a) The first sentence of section 103(b) of the Housing Act of 1949 is amended by striking out "$4,725,000,000" and inserting in lieu thereof "$4,700,000,000, which amount shall be increased by $675,000,000 on the date of the enactment of the Housing and Urban Development Act of 1965, by $725,000,000 on July 1, 1966, and by $750,000,000 on July 1 in each of the years 1967 and 1968". 78 Stat. 785. 42 USC 1453.

(b) The proviso in the first sentence of section 103(b) of such Act, and the second sentence of section 6(b) of the Urban Mass Transportation Act of 1964, are repealed. Repeals. 75 Stat. 166. 78 Stat. 305. 49 USC 1605.

RELOCATION OF DISPLACEES FROM URBAN RENEWAL AREAS

SEC. 305. (a) Section 105(c) of the Housing Act of 1949 is amended to read as follows: 63 Stat. 417. 42 USC 1455.

"(c)(1) There shall be a feasible method for the temporary relocation of individuals and families displaced from the urban renewal area, and there are or are being provided, in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the individuals and families displaced from the urban renewal area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced individuals and families and reasonably accessible to their places of employment. The Administrator shall issue rules and regulations to aid in implementing the requirements of this subsection and in otherwise achieving the objectives of this title. Such rules and regulations shall require that there be established, at the earliest practicable time, for each urban renewal project involving the displacement of individuals, families, and business concerns occupying property in the urban

renewal area, a relocation assistance program which shall include such measures, facilities, and services as may be necessary or appropriate in order (A) to determine the needs of such individuals, families, and business concerns for relocation assistance; (B) to provide information and assistance to aid in relocation and otherwise minimize the hardships of displacement, including information as to real estate agencies, brokers, and boards in or near the urban renewal area which deal in residential or business property that might be appropriate for the relocating of displaced individuals, families, and business concerns; and (C) to assure the necessary coordination of relocation activities with other project activities and other planned or proposed governmental actions in the community which may affect the carrying out of the relocation program, particularly planned or proposed low-rent housing projects to be constructed in or near the urban renewal area.

"(2) As a condition to further assistance after the enactment of this paragraph with respect to each urban renewal project involving the displacement of individuals and families, the Administrator shall require, within a reasonable time prior to actual displacement, satisfactory assurance by the local public agency that decent, safe, and sanitary dwellings as required by the first sentence of this subsection are available for the relocation of each such individual or family."

68 Stat. 623; 75 Stat. 153. 42 USC 1451.

(b) Clause (iii) in the second proviso of section 101(c) of such Act is amended by striking out "section 105(c)" and inserting in lieu thereof "section 105(c)(1)".

(c) The requirements imposed by the amendment made by subsection (a) of this section shall not be applicable to any project which received Federal recognition prior to the date of the enactment of this Act.

REDEVELOPMENT IN ACCORDANCE WITH URBAN RENEWAL PLAN

63 Stat. 417. 42 USC 1456.

SEC. 306. Section 106 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(h) Notwithstanding any other provision of this title, no contract shall be entered into for any loan or capital grant under this title with any local public agency unless the local public agency establishes, by evidence satisfactory to the Administrator, that any urban renewal project with respect to which such local public agency has received a loan or capital grant under this title has been, or will be, undertaken and carried out in substantial accordance with the urban renewal plan, and any amendments thereto, approved with respect to such project, and the terms of the contract for loan or capital grant covering such project."

USE OF GRANT OR LOAN FUNDS IN CODE ENFORCEMENT AND REHABILITATION PROJECTS

78 Stat. 787. 42 USC 1460.

SEC. 307. The first unnumbered paragraph following the numbered paragraphs in section 110(c) of the Housing Act of 1949 is amended—

(1) by inserting "(A)" before "no contract"; and

(2) by inserting before the period at the end of the paragraph the following: ", and (B) not less than 10 per centum of the aggregate amount of (i) grants authorized to be contracted for under this title by the Housing and Urban Development Act of 1965 and subsequent Acts, and (ii) loans authorized to be made under section 312 of the Housing Act of 1964, shall be available for projects assisted with such grants or loans which involve primarily code enforcement and rehabilitation".

78 Stat. 790. 42 USC 1452b.

INCREASE IN NONRESIDENTIAL EXCEPTION

SEC. 308. The third unnumbered paragraph following the numbered paragraphs in section 110(c) of the Housing Act of 1949 is amended by striking out the period and inserting in lieu thereof the following: ": *And provided further*, That the aggregate amount of capital grants made available under this title with respect to such projects after the date of the enactment of the Housing and Urban Development Act of 1965 may be in an amount not to exceed (in addition to amounts previously available for such projects) 35 per centum of the amount of additional capital grants authorized under this title by such Act."

73 Stat. 675.
42 USC 1460.

PRESERVATION OF HISTORIC STRUCTURES

SEC. 309. (a) Section 110(c) of the Housing Act of 1949 is amended—

(1) by striking out "and" at the end of paragraph (7);

(2) by striking out the period at the end of paragraph (8) and inserting in lieu thereof "; and";

(3) by inserting a new paragraph (9) as follows:

"(9) relocating within the project area a structure which the local public agency determines to be of historic value and which will be disposed of to a public body or a private nonprofit organization which will renovate and maintain such structure for historic purposes."; and

(4) by striking out "paragraphs (7) and (8)" in the second unnumbered paragraph following the numbered paragraphs and inserting in lieu thereof "paragraphs (7), (8), and (9)".

(b) Section 110(e) of such Act is amended by striking out "and (8)" in clause (i) and inserting in lieu thereof "(8), and (9)".

ELIGIBILITY OF CERTAIN EXPENSES OF PROJECTS FINANCED ON THREE-FOURTHS GRANT BASIS

SEC. 310. (a) Clause (i) of the third sentence of section 110(e) of the Housing Act of 1949 is amended by (1) inserting "staff services in connection with programs of code enforcement and voluntary rehabilitation and repair (including community organization)," after "disposition of land,"; and (2) inserting "(5)," after "(4),".

(b) Any contract for a capital grant under title I of the Housing Act of 1949, executed prior to the date of the enactment of this Act, may be amended to incorporate the provisions of subsection (a) as to costs incurred on or after the date of the enactment of this Act.

42 USC 1450-1465.

DEMOLITION OF UNSAFE STRUCTURES; CODE ENFORCEMENT

SEC. 311. (a) Title I of the Housing Act of 1949 is amended by inserting after section 115 (added by section 106 of this Act) two new sections as follows:

"DEMOLITION

"SEC. 116. (a) Notwithstanding any other provision of this title, the Administrator is authorized to enter into contracts to make, and to make, grants as provided in this section (payable from any grant funds provided under section 103(b)) to cities, other municipalities, and counties to assist in financing the cost of demolishing structures which under State or local law have been determined to be structurally unsound or unfit for human habitation, and which such city, municipality, or county has authority to demolish. The amount of

68 Stat. 416.
42 USC 1453.

any grant under this section shall not exceed two-thirds of the cost of the demolition of such structures.

"(b) No grant shall be made under this section unless the structures to be demolished are located in an urban renewal area, or, in the case of structures outside an urban renewal area, (1) the locality involved has an approved workable program for community improvement in accordance with the requirements of section 101(c), as determined by the Administrator, (2) the demolition to be assisted will be on a planned neighborhood basis and will further the over-all renewal objectives of such locality, (3) there is in such locality a program of enforcement of existing local housing and related codes, (4) the structures to be demolished constitute a public nuisance and a serious hazard to the public health or welfare, and (5) the governing body of such locality has determined that other available legal procedures have been exhausted to secure remedial action by the owner of the structures involved and that demolition by governmental action is required.

68 Stat. 623.
42 USC 1451.

"CODE ENFORCEMENT

"SEC. 117. Notwithstanding any other provision of this title, the Administrator is authorized to enter into contracts to make, and to make, grants as provided in this section (payable from any grant funds provided under section 103(b)) to cities, other municipalities, and counties for the purpose of assisting such localities in carrying out programs of concentrated code enforcement in deteriorated or deteriorating areas in which such enforcement, together with those public improvements to be provided by the locality, may be expected to arrest the decline of the area. Such grants shall not exceed two-thirds (or three-fourths in the case of any city, other municipality, or county having a population of 50,000 or less according to the most recent decennial census) of the cost of planning and carrying out such programs which may include the provision and repair of necessary streets, curbs, sidewalks, street lighting, tree planting, and similar improvements within such areas. The Administrator shall not make any grant under this section unless he has obtained adequate assurances (1) that the locality will maintain during the period of the contract, in addition to its expenditures for planning and carrying out any program assisted under this section, a level of expenditures for code enforcement activities at not less than its normal expenditures for such activities prior to the execution of such contract, and (2) that the locality has a satisfactory program for the provision of all necessary public improvements for such areas. The provisions of sections 101(c), 106, 114, and 115 shall be applicable to activities and undertakings assisted under this section to the same extent as if such activities and undertakings were being carried out in an urban renewal area as part of an urban renewal project."

63 Stat. 416.
42 USC 1453.

42 USC 1456, 1465; *Ante*, p. 457.

(b) Section 110(c) of such Act is amended by—

(1) striking out "or a program of code enforcement in an urban renewal area," in the first sentence; and

(2) striking out the proviso in paragraph (5).

78 Stat. 785.
42 USC 1460.

(c) Section 220(d)(1)(A) of the National Housing Act is amended by inserting before the first proviso the following: ", or (iv) an area in which a program of concentrated code enforcement activities is being carried out pursuant to section 117 of the Housing Act of 1949".

70 Stat. 1102.
12 USC 1715k.

(d) Section 220(h)(1) of the National Housing Act is amended by inserting after "urban renewal project" in the first sentence the following: "or in an area in which a program of concentrated code enforce-

75 Stat. 154.

ment activities is being carried out pursuant to section 117 of the Housing Act of 1949".

(e) Section 312(a) of the Housing Act of 1964 is amended by inserting after "urban renewal area" in the first sentence the following: "or an area in which a program of concentrated code enforcement activities is being carried out pursuant to section 117 of the Housing Act of 1949". 78 Stat. 790. 42 USC 1452b. *Ante*, p. 478.

REHABILITATION LOANS

SEC. 312. (a) Section 312(a) of the Housing Act of 1964 is amended by striking out "reasonable" in the second sentence and inserting in lieu thereof "comparable".

(b) Section 312(d) of such Act is amended by striking out "$50,000,000" and inserting in lieu thereof "$100,000,000 for each fiscal year", and by adding at the end thereof a new sentence as follows: "All moneys in such revolving fund shall be available for necessary expenses of servicing loans made pursuant to this section, including reimbursement or payment for services and facilities of the Federal National Mortgage Association and of any public or private agency for the servicing of such loans."

(c) Section 312 of such Act is further amended by adding at the end thereof the following new subsection:

"(h) No loan shall be made under the authority of this section after October 1, 1969, except pursuant to a contract, commitment, or other obligation entered into pursuant to this section before that date."

ELIGIBILITY OF COMMUNITIES IN DEPRESSED AREAS FOR URBAN RENEWAL ASSISTANCE

SEC. 313. (a) Subparagraph (B) of section 103(a)(2) of the Housing Act of 1949 is amended to read as follows: 75 Stat. 165. 42 USC 1453.

"(B) three-fourths of the aggregate net project costs of any such projects which are located in (i) a municipality having a population of fifty thousand or less according to the most recent decennial census, or (ii) a municipality situated in a labor market area which, at the time the contract or contracts involved are entered into or at such earlier time as the Administrator may specify in order to avoid hardship, is designated as a redevelopment area under the second sentence of section 5(a) of the Area Redevelopment Act or any other legislation enacted after the date of the enactment of the Housing and Urban Development Act of 1965 containing standards for designation as a redevelopment area generally comparable to those set forth in the second sentence of section 5(a) of the Area Redevelopment Act, and". 75 Stat. 48. 42 USC 2504.

(b) The amendment made by subsection (a) shall apply only with respect to urban renewal projects placed under contract for capital grant on or after the date of the enactment of this Act, except that such amendment shall apply with respect to all urban renewal projects in the city of Providence, Rhode Island, placed under contract for capital grant during the period Providence was designated as a redevelopment area under section 5(a) of the Area Redevelopment Act (or at such earlier time as the Administrator may specify in order to avoid hardship) and not completed prior to the date of the enactment of this Act.

LOCAL GRANT-IN-AID CREDIT FOR CERTAIN COAL ROYALTIES

SEC. 314. (a) Section 110(d) of the Housing Act of 1949 is amended by adding at the end thereof the following new paragraph: 68 Stat. 628. 42 USC 1460.

"Where a project in any municipality includes an area affected by an underground mine fire or by a coal mine subsidence and where it is necessary in such project to remove any underlying coal deposits in order to stabilize the soil or to control the underground mine fire, then any royalties received by the project from the removal and sale of such coal deposits shall be credited to the project as a local grant-in-aid made by such municipality."

42 USC 1450-1465.

(b) Any contract under title I of the Housing Act of 1949 executed prior to the date of the enactment of this Act shall, at the request of the municipality involved, be amended to reflect the amendment made by subsection (a).

SPECIFIC URBAN RENEWAL PROJECTS

SEC. 315. (a) (1) Notwithstanding the date of the commencement of construction of the Tanyard Creek collector sanitary sewer in Jasper, Alabama, local expenditures made in connection with this collector sanitary sewer system shall, to the extent otherwise eligible, be counted as a local grant-in-aid to the downtown urban renewal project (Alabama R-49) in accordance with the provisions of title I of the Housing Act of 1949.

(2) Notwithstanding the date of the commencement of construction of the East Side High School and the start of construction of the improvements to Hickory Creek in Joliet, Illinois, expenditures made in connections with such high school and such creek improvements shall, to the extent otherwise eligible, be counted as a local grant-in-aid to the proposed south central urban renewal project in accordance with the provisions of title I of the Housing Act of 1949.

(3) Notwithstanding the date of commencement of the installation of certain underground electrical wiring in Johnson City, Tennessee, expenditures made in connection with such installation shall, to the extent otherwise eligible, be counted as a local grant-in-aid to Johnson City's proposed downtown urban renewal project (Tennessee R-80) in accordance with the provisions of title I of the Housing Act of 1949.

68 Stat. 629. 42 USC 1450 note.

(4) Notwithstanding the provisions of section 312 of the Housing Act of 1954 or any request previously made pursuant to such section, upon request of the local public agency the eligibility of the local grants-in-aid for any project in the city of New Brunswick, New Jersey, in connection with which the final capital grant payment has not been made, shall be determined in accordance with the provisions of section 110(d) of the Housing Act of 1949.

68 Stat. 628. 42 USC 1460.

(5) Two-thirds of all expenditures by the city of Saint Louis, Missouri, in connection with its Downtown Sports Stadium project, to the extent such expenditures would have been eligible under the provisions of section 110(d) of the Housing Act of 1949 to be counted as non-cash grants-in-aid toward such project if it had received Federal assistance as an urban renewal project pursuant to the provisions of title I of such Act, shall be eligible to be counted as a grant-in-aid toward any federally-assisted urban renewal projects in Saint Louis.

(6) Notwithstanding the extent to which the cultural and convention center proposed to be built adjacent to Urban Renewal Project Colorado R-15 (Skyline) in Denver, Colorado, may benefit areas other than the urban renewal area, expenses incurred by the city of Denver in constructing such center shall, to the extent otherwise eligible, be counted as a grant-in-aid toward such project.

(7) Notwithstanding the extent to which the cultural and convention center proposed to be built within Urban Renewal Project R-8 in Norfolk, Virginia, may benefit areas other than the urban renewal

area, expenses incurred by the city of Norfolk in constructing such center shall, to the extent otherwise eligible, be counted as a grant-in-aid toward such project.

(8) Expenses incurred in the construction of the Glenn Duncan Elementary School and the Fred W. Traner Junior High School in Reno, Nevada, shall not be deemed to be ineligible as a local grant-in-aid in connection with the Northeast Urban Renewal Project (Nevada R-2) because of any change in the urban renewal plan for such project which is determined by the Housing and Home Finance Administrator to have resulted from the proposed location of a federally-aided highway within or adjacent to the urban renewal area in which such project was undertaken. For the purpose of computing the portion of the cost of such schools which may be allowed as a local grant-in-aid, the degree of benefit of the schools to such urban renewal area shall be based on the latest estimate of benefit submitted by the local public agency and accepted by the Administrator prior to such change in the urban renewal plan.

(9) Notwithstanding the provisions of section 112(a) of the Housing Act of 1949, expenditures in the amount of $600,000 made by the Memorial Hospital of Michigan City Foundation, Incorporated, for the purchase of certain land and buildings on or about July 24, 1963, from Doctors Hospital Realty Corporation shall, if otherwise eligible, be counted as local grants-in-aid to the community center numbered 1 urban renewal project (Indiana R-46) in Michigan City, Indiana, in accordance with the remaining provisions of title I of that Act.

75 Stat. 169.
42 USC 1463.

(10) The provisions of section 113(c) of the Housing Act of 1949 shall be applicable to the Hobo Jungle Urban Renewal Project in Texarkana, Arkansas (Arkansas R-3).

75 Stat. 58.
42 USC 1464.

(11) Notwithstanding the date of commencement of construction of the Pulaski, Showalter, and Smedley Junior High Schools, and the William Penn and Stetser Elementary Schools in Chester, Pennsylvania, local expenditures made in connection with such schools shall, to the extent otherwise eligible, be counted as local grants-in-aid for federally-assisted urban renewal projects in Chester that will be served by such schools.

(12) Notwithstanding any other provision of law, moneys heretofore expended by the University of Pennsylvania and Wilkes College for land (and related expenditures for demolition and relocation) included in the overall development plans proposed by such institutions and utilized, or to be utilized, in connection with new facilities of such institutions within one mile of urban renewal projects Pennsylvana 5-3 (University City) and Pennsylvania R-149 (Wright Street), respectively, shall, if otherwise eligible, be allowed as local grants-in-aid for such projects.

(13) Notwithstanding the June, 1956, commencement of certain flood control work in Ottumwa, Iowa, local expenditures in connection with such flood control work shall, to the extent otherwise eligible, be counted as a local grant-in-aid to the Marina Gateway urban renewal project (Iowa R-12) in accordance with the provisions of Title I of the Housing Act of 1949.

42 USC 1450-1465.

(b)(1) Notwithstanding the provisions of title I of the Housing Act of 1949 and the United States Housing Act of 1937, the Housing and Home Finance Administrator and the Public Housing Commissioner are authorized and directed to consent to the transfer by the Housing Authority of the City of Macon, Georgia, to the Urban Renewal Department of the City of Macon, Georgia, of all property acquired by the Housing Authority for low-rent housing project numbered Georgia 7-8, on condition that (A) an amount which, together

50 Stat. 888.
42 USC 1430.

with any funds of the Housing Authority available for the purpose, is sufficient to pay and discharge all obligations incurred by the Housing Authority in connection with such low-rent housing project and owing at the time of transfer, will be paid by the Urban Renewal Department of the City of Macon to the Public Housing Administration to be applied in satisfaction of the Housing Authority's obligations which it cannot meet with its own funds available for the purpose, and (B) the total amount so paid by the Urban Renewal Department of the City of Macon will be included in the gross project cost of its Coliseum Urban Renewal Project, Georgia R-95.

(2) The Housing and Home Finance Administrator and the Public Housing Commissioner are authorized to modify any contracts heretofore entered into and to take any other appropriate action necessary to carry out the provisions of paragraph (1).

63 Stat. 413.
42 USC 1441 note.

(c) (1) Notwithstanding any provision of the Housing Act of 1949 or any other provision of law, the urban renewal project in Savannah, Georgia, known as Project "J" in the General Neighborhood Renewal Plan for the Broad Street-Canal Urban Renewal Area adopted by resolution of the Mayor and Aldermen of the City of Savannah on November 18, 1958, may include the donation by Housing Authority of Savannah, by a suitable instrument of conveyance, of the right, title, and interest of the Authority in and to all or any portion of the land included within the boundaries of such Project "J" in the City of Savannah, Chatham County, Georgia, the area of such Project "J" being generally bounded on the North by properties of the Central of Georgia Railway Company, on the East by West Broad Street, on the South by the right-of-way for Interstate Highway No. I-16, and on the West by the Savannah and Ogeechee Canal and West Boundary Street.

(2) The conveyance authorized to be included in the urban renewal project under paragraph (1) shall be made only if the donee represents, and furnishes such assurances as may be required by Housing Authority of Savannah, that such donee will develop, preserve, and operate such property on a nonprofit basis as a historical site or monument.

LEASE GUARANTEES FOR CERTAIN SMALL BUSINESS CONCERNS

72 Stat. 689.
15 USC 661 note.

SEC. 316. (a) The Small Business Investment Act of 1958 is amended by adding after title III a new title as follows:

75 Stat. 756.

"TITLE IV—LEASE GUARANTEES

"AUTHORITY OF THE ADMINISTRATION

"SEC. 401. (a) The Administration may, whenever it determines such action to be necessary or desirable, and upon such terms and conditions as it may prescribe, guarantee the payment of rentals under leases of commercial and industrial property entered into by small business concerns that are (1) eligible for loans under section 7(b)(3) of the Small Business Act, or (2) eligible for loans under title IV of the Economic Opportunity Act of 1964, to enable such concerns to obtain such leases. Any such guarantee may be made or effected either directly or in cooperation with any qualified surety company or other qualified company through a participation agreement with such company. The foregoing powers shall be subject, however, to the following restrictions and limitations:

75 Stat. 167.
15 USC 636.
78 Stat. 526.
42 USC 2901-2907.

"(1) No guarantee shall be issued by the Administration (A) if a guarantee meeting the requirements of the applicant is other-

wise available on reasonable terms, and (B) unless the Administration determines that there exists a reasonable expectation that the small business concern in behalf of which the guarantee is issued will perform the covenants and conditions of the lease.

"(2) The Administration shall, to the greatest extent practicable, exercise the powers conferred by this section in cooperation with qualified surety or other companies on a participation basis.

"(b) The Administration shall fix a uniform annual fee for its share of any guarantee under this section which shall be payable in advance at such time as may be prescribed by the Administrator. The amount of any such fee shall be determined in accordance with sound actuarial practices and procedures, to the extent practicable, but in no case shall such amount exceed, on the Administration's share of any guarantee made under this title, 2½ per centum per annum of the minimum annual guaranteed rental payable under any guaranteed lease: *Provided*, That the Administration shall fix the lowest fee that experience under the program established hereby has shown to be justified. The Administration may also fix such uniform fees for the processing of applications for guarantees under this section as the Administrator determines are reasonable and necessary to pay the administrative expenses that are incurred in connection therewith.

"(c) In connection with the guarantee of rentals under any lease pursuant to authority conferred by this section, the Administrator may require, in order to minimize the financial risk assumed under such guarantee—

"(1) that the lessee pay an amount, not to exceed one-fourth of the minimum guaranteed annual rental required under the lease, which shall be held in escrow and shall be available (A) to meet rental charges accruing in any month for which the lessee is in default, or (B) if no default occurs during the term of the lease, for application (with accrued interest) toward final payments of rental charges under the lease;

"(2) that upon occurrence of a default under the lease, the lessor shall, as a condition precedent to enforcing any claim under the lease guarantee, utilize the entire period, for which there are funds available in escrow for payment of rentals, in reasonably diligent efforts to eliminate or minimize losses, by releasing the commercial or industrial property covered by the lease to another qualified tenant, and no claim shall be made or paid under the guarantee until such effort has been made and such escrow funds have been exhausted;

"(3) that any guarantor of the lease will become a successor of the lessor for the purpose of collecting from a lessee in default rentals which are in arrears and with respect to which the lessor has received payment under a guarantee made pursuant to this section; and

"(4) such other provisions, not inconsistent with the purposes of this title, as the Administrator may in his discretion require.

"POWERS

"SEC. 402. Without limiting the authority conferred upon the Administrator and the Administration by section 201 of this Act, the Administrator and the Administration shall have, in the performance of and with respect to the functions, powers, and duties conferred by this title, all the authority and be subject to the same conditions prescribed in section 5(b) of the Small Business Act with respect to loans, including the authority to execute subleases, assignments of lease and

72 Stat. 690.
15 USC 671.

72 Stat. 385.
15 USC 634.

new leases with any person, firm, organization, or other entity, in order to aid in the liquidation of obligations of the Administration hereunder.

"FUND

"SEC. 403. There is hereby established a revolving fund for use by the Administration in carrying out the provisions of this title. Initial capital for such fund shall consist of not to exceed $5,000,000 transferred from the fund established under section 4(c) of the Small Business Act: *Provided*, That the last sentence of such section 4(c) shall not apply to any amounts so transferred. Into the fund established by this section there shall be deposited all receipts from the guarantee program authorized by this title. Moneys in such fund not needed for the payment of current operating expenses or for the payment of claims arising under such program may be invested in bonds or other obligations of, or bonds or other obligations guaranteed as to principal and interest by, the United States; except that moneys provided as initial capital for such fund shall be returned to the fund established by section 4(c) of the Small Business Act, in such amounts and at such times as the Administration determines to be appropriate, whenever the level of the fund herein established is sufficiently high to permit the return of such moneys without danger to the solvency of the program under this title."

72 Stat. 690.
15 USC 671.

(b) Section 201 of such Act is amended by striking out the third sentence and inserting in lieu thereof the following: "The powers conferred by this Act upon the Administration and upon the Administrator, with the exception of those conferred by titles IV and V hereof, shall be exercised through the Small Business Investment Division and through the Deputy Administrator appointed hereunder. The powers conferred by this Act upon the Administration and upon the Administrator by titles IV and V hereof shall be exercised through such division, section, or other personnel as the Administrator in his discretion shall determine."

Ante, p. 482;
72 Stat. 696.
15 USC 695.

(c) The table of contents of such Act is amended by inserting after the analysis of title III the following:

"TITLE IV—LEASE GUARANTEES

"Sec. 401. Authority of the Administration.
"Sec. 402. Powers.
"Sec. 403. Fund."

Ante, p. 207.

(d) Section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,716,000,000" and inserting in lieu thereof "$1,721,000,000,"; and

(2) by striking out the period at the end of the fifth sentence and inserting in lieu thereof the following: ": *Provided*, That such limitation shall not apply to functions under title IV thereof."

AMENDMENT OF SECTION 316 OF THE HOUSING ACT OF 1954

68 Stat. 630.
D.C. Code 5-717a.
42 USC 1450-1465.

SEC. 317. The first full paragraph of section 316(2) of the Housing Act of 1954 is amended by striking out the first parenthetical clause and inserting in lieu thereof the following: "(as such projects are now or may hereafter be defined in title I of the Housing Act of 1949, including but not limited to projects authorized without regard to the residential or nonresidential character or reuse of the urban renewal area)".

TITLE IV—COMPENSATION OF CONDEMNEES

DEFINITIONS

SEC. 401. For the purposes of this title—

(1) the term "development program" means any program established by or conducted under any of the following provisions of law:

(A) the United States Housing Act of 1937; 42 USC 1430.

(B) title I of the Housing Act of 1949; 42 USC 1450-1465.

(C) the Urban Mass Transportation Act of 1964; 49 USC 1601 note.

(D) title II of the Housing Amendments of 1955; 42 USC 1491-1497.

(E) title VII of the Housing Act of 1961; and 42 USC 1500-1500e.

(F) title VII of the Housing and Urban Development Act of 1965; Post, p. 489.

(2) the term "Federal assistance" means a grant, loan, contract of guaranty, annual contribution, or other assistance provided by the United States;

(3) the term "applicant" means any public body or other agency authorized to receive Federal assistance under a development program;

(4) the term "real property" means any land, or any interest in land, and (A) any building, structure, or other improvements embedded in or affixed to land, and any article so affixed or attached to such building, structure, or improvement as to be an essential or integral part thereof; (B) any article affixed or attached to such real property in such manner that it cannot be removed without material injury to itself or the real property; and (C) any article so designed, constructed, or specially adapted to the purpose for which such real property is used that (i) it is an essential accessory or part of such real property, (ii) it is not capable of use elsewhere, and (iii) it would lose substantially all its value if removed from the real property; and

(5) the term "Administrator" means the Housing and Home Finance Administrator.

LAND ACQUISITION POLICY

SEC. 402. As a condition of eligibility for Federal assistance pursuant to a development program, each applicant for such assistance shall satisfy the Administrator that the following policies will be followed in connection with the acquisition of real property by eminent domain in the course of such program—

(1) the applicant shall make every reasonable effort to acquire the real property by negotiated purchase;

(2) no owner shall be required to surrender possession of real property before the applicant pays to the owner (A) the agreed purchase price arrived at by negotiation, or (B) in any case where only the amount of the payment to the owner is in dispute, not less than 75 per centum of the appraised fair value of such property as approved by the applicant; and

(3) the construction or development of any public improvements shall be so scheduled that no person lawfully occupying the real property shall be required to surrender possession on account of such construction or development without at least 90 days' written notice from the applicant of the date on which such construction or development is scheduled to begin.

FUNDS FOR CERTAIN PAYMENTS IN EMINENT DOMAIN

SEC. 403. Notwithstanding any other provision of law, financial assistance under any federally assisted development program may include amounts necessary for financing, in the same manner that other costs of a project assisted under such program are financed, the payments described in paragraph (2) (B) of section 402 of this Act.

RELOCATION PAYMENTS UNDER FEDERALLY ASSISTED DEVELOPMENT PROGRAMS

SEC. 404. (a) To the extent not otherwise authorized under any Federal law, financial assistance extended to an applicant under any federally assisted development program may include grants for relocation payments, as herein defined. Such grants may be in addition to other financial assistance under such federally assisted development programs, and may cover the full amount of such relocation payments. Any funds available for any such program may be used for such grants. The term "relocation payments" means payments by the applicant, 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 sections 114(b), (c), and (d) of the Housing Act of 1949 with respect to projects assisted under title I thereof. Relocation payments authorized by this subsection shall be made subject to such rules and regulations as may be prescribed by the Administrator.

78 Stat. 788.
42 USC 1465.

(b) Section 114(b)(2) of the Housing Act of 1949 is amended by striking out "$1,500" and inserting in lieu thereof "$2,500".

(c)(1) Section 114 of such Act is further amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

"(d) In addition to payments authorized to be made under subsections (b) and (c), a local public agency may pay to any displaced individual, family, business concern, or nonprofit organization reasonable and necessary expenses incurred for (1) recording fees, transfer taxes, and similar expenses incidental to conveying real property to a project assisted under this title, (2) penalty costs for prepayment of any mortgage encumbering such real property, and (3) the pro rata portion of real property taxes allocable to a period subsequent to the date of vesting of title or the effective date of the acquisition of such real property by such agency, whichever is earlier."

(2) Section 15(8) of the United States Housing Act of 1937 is amended by striking out "section 114 (b) or (c)" and inserting in lieu thereof "section 114 (b), (c), and (d)".

78 Stat. 795.
42 USC 1415.

(d) Subsection (a) shall not be applicable with respect to any displacement occurring prior to the date of the enactment of this Act (or prior to March 4, 1965, in the case of the programs specified in subparagraphs (C) and (E) of section 401(1)).

TITLE V—LOW-RENT PUBLIC HOUSING

ACCEPTANCE OF LOCAL CERTIFICATION OF EQUIVALENT ELIMINATION

SEC. 501. The fourth sentence of section 10(a) of the United States Housing Act of 1937 is amended by inserting immediately after "elimination", where it first appears, the following: ", as certified by the local governing body".

63 Stat. 430.
42 USC 1410.

GREATER USE OF EXISTING HOUSING

SEC. 502. Section 10(c) of the United States Housing Act of 1937 is amended by striking out "*And provided*" and inserting in lieu thereof "*Provided*", and by inserting before the period at the end thereof the following: ": *And provided further*, That the amount of the fixed annual contribution which would be established under this Act for a newly constructed project by a public housing agency designed to accommodate a number of families of a given size and kind may be established, as a maximum annual contribution in lieu of any other guaranteed contribution authorized under this section, for a project by such public housing agency which would provide housing for the comparable number, sizes, and kinds of families through the acquisition, acquisition and rehabilitation, or use under lease of existing structures which are suitable for low-rent housing use and obtainable in the local market". 50 Stat. 892. 42 USC 1410.

INCREASE IN AUTHORIZATION FOR ANNUAL CONTRIBUTIONS

SEC. 503. (a) Section 10(e) of the United States Housing Act of 1937 is amended by inserting immediately following "per annum" the following: ", which limit shall be increased by $47,000,000 on the date of the enactment of the Housing and Urban Development Act of 1965, and by further amounts of $47,000,000 on July 1 in each of the years 1966, 1967, and 1968, respectively". 52 Stat. 820; 78 Stat. 795.

REALLOCATION OF UNITS

SEC. 504. Section 10(e) of the United States Housing Act of 1937 is amended by striking out "*Provided*," and inserting in lieu thereof the following: "*Provided*, That subject to any contractual obligation outstanding on the date of the enactment of the Housing and Urban Development Act of 1965, any units not under construction within five years from the date they were reserved to a public housing agency may be reserved, allocated, or placed under contract for annual contributions in any State without limitation as to the aggregate amount of units which may be placed under contract for annual contributions in any one State: *Provided further*,".

SALE OF FEDERALLY-OWNED PROJECTS TO PRIVATE PURCHASERS

SEC. 505. The first sentence of section 12(c) of the United States Housing Act of 1937 is amended to read as follows: "The Authority may sell a Federal project only to a public housing agency or to a nonprofit body for use as low-rent housing." 50 Stat. 894. 42 USC 1412.

INCREASE IN PER ROOM LIMITATIONS

SEC. 506. Paragraph (5) of section 15 of the United States Housing Act of 1937 is amended— 63 Stat. 424; 75 Stat. 164. 42 USC 1415.

(1) by striking out "$2,000" and inserting in lieu thereof "$2,400";

(2) by striking out "$3,000", each place it appears, and inserting in lieu thereof "$3,500"; and

(3) by striking out "$3,500" and inserting in lieu thereof "$4,000".

PURCHASE OF UNITS BY TENANTS

50 Stat. 895.
42 USC 1415.

SEC. 507. (a) Section 15 of the United States Housing Act is amended by adding after paragraph (8) a new paragraph as follows:

"(9) Notwithstanding any other provision of this Act, but subject to the provisions of any contract with the Authority, any public housing agency may permit any member of a tenant family to enter into a contract (either individually or as a member of a group) for the acquisition of a dwelling unit in any project of the public housing agency which is suitable by reason of its detached or semidetached construction for sale and for occupancy by such purchaser or a member or members of his family, upon the following terms:

"(A) The purchaser shall pay at least (i) a pro rata share cost of any services furnished him by the public agency, including but not limited to, administration, maintenance, repairs, utilities, insurance, provision of reserves, and other expenses, (ii) local taxes on his dwelling unit, and (iii) monthly payments of interest and principal sufficient to amortize a sales price, equal to the greater of the unamortized debt or the appraised value (at the time such purchase contract is entered into) of the dwelling unit, in not more than forty years: *Provided*, That the public housing agency may, under terms and conditions to be prescribed by it, permit a purchaser to apply an amount equal to the net rent paid for his dwelling unit, over a period not exceeding three years prior to the entering into of any such contract, toward the purchase price of such unit;

"(B) The interest rate shall be fixed at not less than the average interest cost of loans outstanding on the project, except that in the case of a project on which bonds are not outstanding the interest rate shall be fixed at not less than the going Federal rate applicable to such project;

"(C) The principal payments shall be not less than one-half of 1 per centum per annum of the sales price during the first five years after purchase, 1 per centum per annum during the next five years, 1½ per centum per annum during the third five years, and thereafter not less than the principal payments resulting from a level debt service of interest and principal over the balance of the payment period; and

"(D) If at any time (i) a purchaser fails to carry out his contract with the public housing agency and if no member of his family who resides in the dwelling assumes such contract, or (ii) the purchaser or a member of his family who assumes the contract does not reside in the dwelling, the public housing agency shall have an option to acquire his interest under such contract upon payment to him or his estate of an amount equal to his aggregate principal payments plus the value to the public housing agency of any improvements made by him, less an amount equal to 2½ per centum of the sales price."

(b) Such Act is further amended—

(1) by inserting in the parenthetical phrase in section 10(h) after the words "exclusive of" the following: "any part thereof covered by a contract or conveyed pursuant to paragraph (9) of section 15, and exclusive of";

(2) by inserting after "may be made" in section 10(l) the following: ", subject to any outstanding contracts made pursuant to paragraph (9) of section 15,";

(3) by inserting after "acquisition", the first place it appears in paragraphs (1), (2), and (3) of section 15, the following: "(except pursuant to paragraph (9) of section 15)"; and

(4) by inserting before the semicolon at the end of paragraph (1) of section 22(a) a colon and the following: "*Provided*, That such conveyance or delivery of title shall be subject to the rights of third parties vested pursuant to paragraph (9) of section 15". 63 Stat. 424. 42 USC 1421a.

TITLE VI—COLLEGE HOUSING

INCREASE IN AUTHORIZATION FOR COLLEGE HOUSING LOANS

SEC. 601. Section 401(d) of the Housing Act of 1950 is amended by striking out "through 1964", each place it appears, and inserting in lieu thereof "through 1968". 73 Stat. 681; 75 Stat. 172. 12 USC 1749.

INTEREST RATE ON COLLEGE HOUSING LOANS

SEC. 602. (a) Effective with respect to loan contracts entered into after the date of the enactment of this Act, section 401(c) of the Housing Act of 1950 is amended by striking out "the higher of (1) 2¾ per centum per annum, or" and inserting in lieu thereof "the lower of (1) 3 per centum per annum, or". 69 Stat. 644.

(b) Effective with respect to notes or other obligations financing loan contracts entered into after the date of the enactment of this Act, section 401(e) of such Act is amended by striking out "the higher of (1) 2½ per centum per annum, or" and inserting in lieu thereof "the lower of (1) 2¾ per centum per annum, or".

PARTICIPATION BY NEW COLLEGES AND CERTAIN PUBLIC VOCATIONAL AND TECHNICAL INSTITUTIONS

SEC. 603. Clause (1) of section 404(b) of the Housing Act of 1950 is amended to read as follows: "(1)(A) any educational institution which offers, or provides satisfactory assurance to the Administrator that it will offer within a reasonable time after completion of a facility for which assistance is requested under this title, at least a two-year program acceptable for full credit toward a baccalaureate degree (including any public educational institution, or any private educational institution no part of the net earnings of which inures to the benefit of any private shareholder or individual), or (B) any public educational institution which (i) is administered by a college or university which is accredited by a nationally recognized accrediting agency or association, (ii) offers technical or vocational instruction, and (iii) provides residential facilities for some or all of the students receiving such instruction,". 71 Stat. 304. 12 USC 1749c.

TECHNICAL AMENDMENTS

SEC. 604. (a) The second paragraph of section 404(b) of the Housing Act of 1950 is amended by inserting after "would provide housing," the following: "or to a student housing cooperative corporation described in clause (5) of this subsection,". 75 Stat. 173.

(b) Section 401(g) of such Act is amended by striking out "In the case" and inserting in lieu thereof "Except as otherwise provided in the second paragraph of section 404(b), in the case". 73 Stat. 682.

TITLE VII—COMMUNITY FACILITIES

PURPOSE

SEC. 701. The purpose of this title is to assist and encourage the communities of the Nation fully to meet the needs of their citizens by

making it possible, with Federal grant assistance, for their governmental bodies (1) to construct adequate basic water and sewer facilities needed to promote the efficient and orderly growth and development of our communities, (2) to construct neighborhood facilities needed to enable them to carry on programs of necessary social services, and (3) to acquire, in a planned and orderly fashion, land to be utilized in connection with the future construction of public works and facilities.

GRANTS FOR BASIC WATER AND SEWER FACILITIES

SEC. 702. (a) The Housing and Home Finance Administrator (hereinafter in this title referred to as the "Administrator") is authorized to make grants to local public bodies and agencies to finance specific projects for basic public water facilities (including works for the storage, treatment, purification, and distribution of water), and for basic public sewer facilities (other than "treatment works" as defined in the Federal Water Pollution Control Act): *Provided*, That no grant shall be made under this section for any sewer facilities unless the Secretary of Health, Education, and Welfare certifies to the Administrator that any waste material carried by such facilities will be adequately treated before it is discharged into any public waterway so as to meet applicable Federal, State, interstate, or local water quality standards.

70 Stat. 506.
33 USC 466j.

(b) The amount of any grant made under the authority of this section shall not exceed 50 per centum of the development cost of the project: *Provided*, That in the case of a community having a population of less than ten thousand, according to the most recent decennial census, which is situated within a metropolitan area, the Administrator may increase the amount of a grant for a basic public sewer facility assisted under this section to not more than 90 per centum of the development cost of such facility, if the community is unable to finance the construction of such facility without the increased grant authorized under this subsection, and if in such community (1) there does not exist a public or other adequate sewer facility which serves a substantial portion of the inhabitants of the community, and (2) the rate of unemployment is, and has been continuously for the preceding calendar year, 100 per centum above the national average: *And provided further*, That the limitations and restrictions contained in subsection (c) of this section shall not be applicable to any community applying for an increased grant under this subsection.

(c) No grant shall be made under this section in connection with any project unless the Administrator determines that the project is necessary to provide adequate water or sewer facilities for, and will contribute to the improvement of the health or living standards of, the people in the community to be served, and that the project is (1) designed so that an adequate capacity will be available to serve the reasonably foreseeable growth needs of the area; (2) consistent with a program meeting criteria, established by the Administrator, for a unified or officially coordinated areawide water or sewer facilities system as part of the comprehensively planned development of the area, except that prior to July 1, 1968, grants may, in the discretion of the Administrator, be made under this section when such a program for an areawide water and sewer facilities system is under active preparation, although not yet completed, if the facility or facilities for which assistance is sought can reasonably be expected to be required as a part of such program, and there is urgent need for the facility or facilities; and (3) necessary to orderly community development.

GRANTS FOR NEIGHBORHOOD FACILITIES

SEC. 703. (a) In accordance with the provisions of this section, the Administrator is authorized to make grants to any local public body or agency to assist in financing specific projects for neighborhood facilities. Any such project may be undertaken by such body or agency directly or through a nonprofit organization approved by it: *Provided*, That no grant shall be provided under this section for any project to be undertaken through a nonprofit organization unless the Administrator determines (1) that such organization has or will have the legal, financial, and technical capacity to carry out the project, and (2) that the public body or agency to which the grant is made will have satisfactory continuing control over the use of the proposed facilities.

(b) The amount of any grant made under the authority of this section shall not exceed 66⅔ per centum of the development cost of the project for which the grant is made (or 75 per centum of such cost in the case of a project located in an area which at the time the grant is made is designated as a redevelopment area under the Area Redevelopment Act or any Act supplementary thereto).

75 Stat. 47.
42 USC 2501 note.

(c) No grant shall be made under this section for any project unless the Administrator determines that the project will provide a neighborhood facility which is (1) necessary for carrying out a program of health, recreational, social, or similar community service (including a community action program approved under title II of the Economic Opportunity Act of 1964) in the area, (2) consistent with comprehensive planning for the development of the community, and (3) so located as to be available for use by a significant portion (or number in the case of large urban places) of the area's low- or moderate-income residents.

78 Stat. 516.
42 USC 2781 *et seq.*

(d) For a period of twenty years after a grant has been made under this section for a neighborhood facility, such facility shall not, without the approval of the Administrator, be converted to uses other than those proposed by the applicant in its application for a grant. The Administrator shall not approve any conversion in the use of such a neighborhood facility during such twenty-year period unless he finds that such conversion is in accordance with the then applicable program of health, recreational, social, or similar community services in the area and consistent with comprehensive planning for the development of the community in which the facility is located. In approving any such conversion, the Administrator may impose such additional conditions and requirements as he deems necessary.

(e) The Administrator shall give priority to applications for projects designed primarily to benefit members of low-income families or otherwise substantially further the objectives of a community action program approved under title II of the Economic Opportunity Act of 1964.

ADVANCE ACQUISITION OF LAND

SEC. 704. (a) In order to encourage and assist in the timely acquisition of land planned to be utilized in connection with the future construction of public works or facilities, the Administrator is authorized to make grants to local public bodies and agencies to assist in financing the acquisition of a fee simple estate or other interest in such land.

(b) The amount of any grant made under the authority of this section shall not exceed the aggregate amount of reasonable interest charges on the loan or other financial obligation incurred to finance the acquisition of such land for a period not exceeding the lesser of (1) five years from the date such loan was made or such financial obligation was incurred, or (2) the period of time between the date

such loan was made or such financial obligation was incurred and the date construction is begun on the public work or facility for which the land acquired was planned to be utilized.

(c) No grant shall be made under this section for any project for the acquisition of land unless the Administrator determines that the public work or facility for which such land is to be utilized is planned to be constructed or initiated within a reasonable period of time (not to exceed five years after a contract to make such grant is entered into) and that construction of such public work or facility will contribute to economy, efficiency, and the comprehensively planned development of the area.

(d) As a condition to providing assistance under this section, the Administrator may, under terms and conditions prescribed by him, require an applicant to agree to repay such assistance, if (1) the land purchased with such assistance is not utilized within five years after the agreement is entered into in connection with the construction of the public work or facility for which such land was acquired, or (2) such land is diverted to other uses.

GENERAL PROVISIONS

SEC. 705. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Administrator shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402, except subsections (a), (c) (2), and (f) of the Housing Act of 1950.

64 Stat. 78; 73 Stat. 681. 12 USC 1749a. 31 USC 529.

(b) The Administrator is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, to make advance or progress payments on account of any grant made pursuant to this title. No part of any grant authorized to be made by the provisions of this title shall be used for the payment of ordinary governmental operating expenses.

DEFINITIONS

SEC. 706. As used in this title—

(a) The term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(b) The term "local public bodies and agencies" includes public corporate bodies or political subdivisions; public agencies or instrumentalities of one or more States, municipalities, or political subdivisions of one or more States (including public agencies and instrumentalities of one or more municipalities or other political subdivisions of one or more States); Indian tribes; and boards or commissions established under the laws of any State to finance specific capital improvement projects.

(c) The term "development cost" means the cost of constructing the facility and of acquiring the land on which it is located, including necessary site improvements to permit its use as a site for the facility.

LABOR STANDARDS

SEC. 707. All laborers and mechanics employed by contractors or subcontractors on projects assisted under sections 702 and 703 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). No such project shall be approved without first obtaining adequate assurance that these labor standards will be maintained upon the

49 Stat. 1011.

construction work. 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 (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). 63 Stat. 108.

APPROPRIATIONS

SEC. 708. (a) There are authorized to be appropriated for each fiscal year commencing after June 30, 1965, and ending prior to July 1, 1969, not to exceed (1) $200,000,000 for grants under section 702, (2) $50,000,000 for grants under section 703, and (3) $25,000,000 for grants under section 704.

(b) Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1969.

TITLE VIII—FEDERAL NATIONAL MORTGAGE ASSOCIATION

INCREASE IN SPECIAL ASSISTANCE AUTHORITY

SEC. 801. (a) Section 305(c) of the National Housing Act is amended by inserting before the period at the end thereof the following: ", which limit shall be increased by $100,000,000 on the date of the enactment of the Housing and Urban Development Act of 1965, by $450,000,000 on July 1, 1966, by $550,000,000 on July 1, 1967, and by $525,000,000 on July 1, 1968". 75 Stat. 175. 12 USC 1720.

(b) Section 305(f) of such Act is amended by inserting before the period at the end thereof the following: ": *Provided further*, That any portion of the total amount of authority set forth in the first proviso of this subsection, which (1) is not required under the second proviso of this subsection to be kept available for purchases and commitments with respect to mortgages insured under section 809, and (2), on the date of enactment of the Housing and Urban Development Act of 1965 and on each July 1 thereafter, would otherwise be available for making new purchases and commitments pursuant to this subsection, shall be transferred to and merged with the authority granted by subsection (a) and added to the amount of such authority which is available, as of the date of the transfer, for purchases and commitments under subsection (c); and the total amount of authority as set forth in the first proviso of this subsection shall progressively be reduced by the amount of each such transfer". 69 Stat. 651. 70 Stat. 273. 12 USC 1748h-1.

PURCHASE OF MORTGAGES HELD BY FEDERAL INSTRUMENTALITIES

SEC. 802. (a) Section 302 of the National Housing Act is amended by— 68 Stat. 613. 12 USC 1717.

(1) striking out "Federal," in clause (2) in subsection (b);

(2) inserting before "first mortgages" in the first sentence of subsection (c) the following: "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"; and 78 Stat. 800.

(3) inserting "and other obligations" after "mortgages" in the last sentence of subsection (c).

73 Stat. 670.
12 USC 1721.

(b) Section 306(e) of such Act is amended to read as follows:

"(e) Notwithstanding any other provision of law, the Association is authorized, under the aforesaid separate accountability, to make commitments to purchase, and to purchase, service, or sell any 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 mortgages covering residential property offered to it by any Federal instrumentality, or the head thereof. There shall be excluded from the total amounts set forth in subsection (c) the amounts of any obligations or mortgages purchased by the Association pursuant to this subsection."

PURCHASE OF BELOW-MARKET INTEREST RATE MORTGAGES

68 Stat. 613;
73 Stat. 669.
12 USC 1717.
12 USC 1720.
75 Stat. 150.
12 USC 1715l.

SEC. 803. Section 302(b) of the National Housing Act is amended by inserting after the first sentence the following new sentence: "Notwithstanding the provisions of clause (3) in the preceding sentence, the Association may purchase a mortgage under section 305 with an original principal obligation that exceeds $17,500 per dwelling unit if the mortgage (1) is a below-market interest rate mortgage insured under section 221(d)(3), and (2) covers property which has the benefit of local tax abatement in an amount determined by the Federal Housing Commissioner to be sufficient to make possible rentals not in excess of those that would be approved by the Commissioner if the mortgage amount did not exceed $17,500 per dwelling unit and if local tax abatement were not provided."

INCREASE IN LIMITATION ON MORTGAGES FOR DWELLING UNITS HAVING FOUR OR MORE BEDROOMS

SEC. 804. Section 302(b) of the National Housing Act is amended by inserting before the period at the end of the first sentence the following: "(plus an additional $2,500 for each such family residence or dwelling unit which has four or more bedrooms)".

TITLE IX—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT

CHANGE IN NAME OF PROGRAM; FINDINGS AND PURPOSE

75 Stat. 183.
42 USC 1500-1500e.

SEC. 901. (a) The heading of title VII of the Housing Act of 1961 is amended to read as follows:

"TITLE VII—OPEN-SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT"

(b) Section 701 of such Act is amended by redesignating subsection (b) as subsection (c) and inserting after subsection (a) a new subsection as follows:

"(b) The Congress further finds that there is an urgent need both for the additional provision of parks and other open-space areas in the developed portions of the Nation's urban areas and for greater and better coordinated local efforts to beautify and improve open space and other public land throughout urban areas to facilitate their increased use and enjoyment by the Nation's urban population."

(c) Section 701(c) of such Act (as redesignated by subsection (b) of this section) is amended—

(1) by striking out "preserve" and inserting in lieu thereof "(1) provide, preserve, and develop"; and

(2) by striking out "purposes." and inserting in lieu thereof "uses, and (2) beautify and improve open space and other public urban land, in accordance with programs to encourage and coordinate local public and private efforts toward this end."

DEVELOPMENT GRANTS FOR OPEN-SPACE USES

SEC. 902. (a) The first sentence of section 702(a) of the Housing Act of 1961 is amended— 75 Stat. 184. 42 USC 1500a.

(1) by inserting "and development" after "acquisition" the first place it appears; and

(2) by inserting before the period the following: ", and the development, for open-space uses, of land acquired under this title".

(b) Section 702(c) of such Act is amended by striking out "development costs or".

(c) Section 709 of such Act (as redesignated by section 906 of this Act) is amended by adding at the end thereof the following:

"(4) The term 'open-space uses' means any use of open-space land for (A) park and recreational purposes, (B) conservation of land and other natural resources, or (C) historic or scenic purposes."

INCREASED GRANT LEVEL FOR PRESERVATION AND DEVELOPMENT OF OPEN-SPACE LAND

SEC. 903. The second sentence of section 702(a) of the Housing Act of 1961 is amended to read as follows: "The amount of any such grant shall not exceed 50 per centum of the total cost, as approved by the Administrator, of such acquisition and development."

CONTRACT AUTHORIZATION

SEC. 904. Section 702(b) of the Housing Act of 1961 is amended by striking out "$75,000,000" and inserting in lieu thereof the following: "$310,000,000: *Provided*, That of such sum the Administrator may contract to make grants under section 705 aggregating not to exceed $64,000,000, and grants under section 706 aggregating not to exceed $36,000,000". 78 Stat. 806.

OPEN-SPACE PLANNING AND PROGRAM REQUIREMENTS

SEC. 905. Section 703(a) of the Housing Act of 1961 is amended to read as follows: 42 USC 1500b.

"(a) The Administrator shall enter into contracts to make grants under sections 702 and 705 of this title only if he finds that such assistance is needed for carrying out a unified or officially coordinated program, meeting criteria established by him, for the provision and development of open-space land as part of the comprehensively planned development of the urban area."

GRANTS FOR PROVISION OF OPEN-SPACE LAND IN BUILT-UP URBAN AREAS AND FOR URBAN BEAUTIFICATION AND IMPROVEMENT

SEC. 906. Title VII of the Housing Act of 1961 is amended by redesignating sections 705 and 706 as sections 708 and 709, respectively, and by inserting after section 704 two new sections as follows: 75 Stat. 185. 42 USC 1500d, 1500e.

"GRANTS FOR PROVISION OF OPEN-SPACE LAND IN BUILT-UP URBAN AREAS

"SEC. 705. The Administrator is further authorized to enter into contracts to make grants to States and local public bodies to help finance the acquisition of title to, or other permanent interests in, developed land in built-up portions of urban areas to be cleared and used as permanent open-space land. The Administrator shall make such grants only where the local governing body determines that adequate open-space land cannot effectively be provided through the use of existing undeveloped or predominantly undeveloped land. Grants under this section shall not exceed 50 per centum of the cost of acquiring such interests and of necessary demolition and removal of improvements.

"GRANTS FOR URBAN BEAUTIFICATION AND IMPROVEMENT

"SEC. 706. The Administrator is authorized to enter into contracts to make grants, as herein provided, to States and local public bodies to assist in carrying out local programs for the greater use and enjoyment of open-space and other public land in urban areas. The Administrator shall establish criteria for such programs to assure that each program (1) represents significant and effective efforts, involving all available public and private resources, for the beautification of such land and its improvement for open-space uses; and (2) is important to the comprehensively planned development of the locality. Grants made under this section shall not exceed 50 per centum of the amount by which the cost of the activities carried on by an applicant during a fiscal year under an approved program exceeds its usual expenditures for comparable activities: *Provided*, That, notwithstanding any other provision of this section, the Administrator may use not to exceed $5,000,000 of the sum authorized for contracts under this section 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 section."

LABOR STANDARDS

SEC. 907. Title VII of the Housing Act of 1961 is further amended by inserting after section 706 (as added by section 906 of this Act) the following new section:

"LABOR STANDARDS

"SEC. 707. (a) The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of grants 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. The Administrator shall not approve any such grant without first obtaining adequate assurance that these labor standards will be maintained upon the construction work.

49 Stat. 1011. 40 USC 276a-276a-5.

"(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)."

63 Stat. 108.

USE OF FUNDS FOR STUDIES AND PUBLICATION

SEC. 908. The second sentence of section 708 of the Housing Act of 1961 (as redesignated by section 906 of this Act) is amended to read as follows: "The Administrator is authorized to use during any fiscal year not to exceed $50,000 of the funds available for grants under this title to undertake such studies and publish such information."

CONFORMING AMENDMENTS

SEC. 909. (a) The heading of section 702 of the Housing Act of 1961 is amended to read as follows: "GRANTS FOR PRESERVATION AND DEVELOPMENT OF OPEN-SPACE LAND". 75 Stat. 184. 42 USC 1500a.

(b) Section 702(a) of such Act is amended by striking out "acceptable to the Administrator as capable of carrying out the provisions of this title".

(c) Section 702(e) of such Act is amended by striking out in the second sentence "served by the open-space land acquired" and inserting in lieu thereof "assisted".

(d) Section 704 of such Act is amended by striking out in the first sentence "for which" and inserting in lieu thereof "for the acquisition of which". 42 USC 1500c.

TITLE X—RURAL HOUSING

LOANS FOR PREVIOUSLY OCCUPIED BUILDINGS AND MINIMUM SITE ACQUISITION

SEC. 1001. (a) Section 501(a) of the Housing Act of 1949 is amended— 63 Stat. 432; 75 Stat. 186. 42 USC 1471.

(1) by inserting after "their farms," in clause (1) the following: "and to purchase previously occupied buildings and land constituting a minimum adequate site, in order"; and

(2) by inserting after "rural areas" in clause (2) the following: "for the construction, improvement, alteration, or repair of dwellings, related facilities, and farm buildings and to rural residents for such purposes and for the purchase of previously occupied buildings and the purchase of land constituting a minimum adequate site, in order".

(b) Section 501(c) of such Act is amended by inserting "or a rural resident" in clause (1) after "or that he is the owner of other real estate in a rural area".

INTEREST RATE ON DIRECT RURAL HOUSING LOANS

SEC. 1002. Section 502(a) of the Housing Act of 1949 is amended by striking out "with interest at a rate not to exceed 4 per centum per annum on the unpaid balance of principal" and inserting in lieu thereof the following: "with interest, in the case of applicants described in clauses (1) and (2) of section 501(a), at a rate not to exceed 5 per centum per annum on the unpaid balance of principal, and, in the case of applicants described in clause (3) of section 501(a) and applicants under sections 503 and 504, at a rate not to exceed 4 per centum per annum on such unpaid balance. Loans made or insured under this title shall be conditioned on the borrower paying such fees and other charges as the Secretary may require". 42 USC 1472. 76 Stat. 670. 63 Stat. 434. 42 USC 1471, 1473, 1474.

INSURED RURAL HOUSING LOANS

63 Stat. 432. 42 USC 1471 *et seq.*

SEC. 1003. (a) Title V of the Housing Act of 1949 is amended by adding at the end thereof the following new sections:

"INSURED RURAL HOUSING LOANS

"SEC. 517. (a) The Secretary may insure loans meeting the requirements of section 502, and may make loans in accordance with the requirements of such section to be sold and insured; except that such loans shall—

"(1) if the borrowers are persons of low or moderate income (as defined by the Secretary), (A) not exceed amounts necessary to provide adequate housing, modest in size, design, and cost (as determined by the Secretary), (B) bear interest at a rate not to exceed 5 per centum per annum, and (C) not exceed in the aggregate $300,000,000 of new loans made or insured in any one fiscal year; and

"(2) if the borrowers are persons other than those described in clause (1), bear interest and provide for insurance or service charges at rates comparable to the combined rate of interest and premium charges in effect under section 203 of the National Housing Act, as determined by the Secretary.

52 Stat. 10; *Ante*, p. 466. 12 USC 1709.

"(b) The Secretary may insure loans in accordance with the requirements of sections 514 (exclusive of subsections (a)(3), (a)(5), and (b)) and 515 (exclusive of subsections (a) and (b)(4)), and may make loans meeting such requirements to be sold and insured. Upon the expiration of ninety days after the original capitalization of the Rural Housing Insurance Fund, created by subsection (e) of this section, no new loans shall be made or insured under section 514 or 515(b), except in conformity with this section.

75 Stat. 186; 76 Stat. 671. 42 USC 1484, 1485.

"(c) The Secretary may use the Rural Housing Insurance Fund for the purpose of making loans to be sold and insured under this section, but the aggregate of such loans which are held by the Secretary at any one time shall not exceed $100,000,000.

"(d) The Secretary may, in conformity with subsections (a) and (b), insure the payment of principal and interest as it becomes due on loans made by lenders other than the United States, and on loans made from the Rural Housing Insurance Fund which are sold by the Secretary. Any contract of insurance executed by the Secretary hereunder shall be an obligation supported by the full faith and credit of the United States, and shall be incontestable except for fraud or material misrepresentation of which the holder has actual knowledge. In connection with loans insured under this section, the Secretary may take liens running to the United States notwithstanding the fact that the notes evidencing such loans may be held by lenders other than the United States. Notes evidencing such loans shall be freely assignable, but the Secretary shall not be bound by any such assignment until notice thereof is given to and acknowledged by him.

Rural Housing Insurance Fund.

"(e) There is hereby created the Rural Housing Insurance Fund (hereinafter referred to as the 'Fund') which shall be used by the Secretary as a revolving fund for carrying out the provisions of this section. There are authorized to be appropriated to the Secretary such sums as may be necessary for the purposes of the Fund.

"(f) Money in the Fund not needed for current operations shall be invested in direct obligations of the United States or obligations guaranteed by the United States.

"(g) All funds, claims, notes, mortgages, contracts, and property acquired by the Secretary under this section, and all collections and

proceeds therefrom, shall constitute assets of the Fund; and all liabilities and obligations of such assets shall be liabilities and obligations of the Fund. Loans may be held in the Fund and collected in accordance with their terms or may be sold by the Secretary with or without agreements for insurance thereof. The Secretary is authorized to make agreements with respect to servicing loans held or insured by him under this section and purchasing such insured loans on such terms and conditions as he may prescribe.

"(h) The Secretary is authorized to issue notes to the Secretary of the Treasury to obtain funds necessary for discharging obligations under this section and for authorized expenditures out of the Fund, but, except as may be authorized in appropriation Acts, not for the original or any additional capital of the Fund. Such notes shall be in such form and denominations and have such maturities and be subject to such terms and conditions as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Each note shall bear interest at the average rate, as determined by the Secretary of the Treasury, payable by the Treasury upon its marketable public obligations outstanding at the beginning of the fiscal year in which such note is issued, which are neither due nor callable for redemption for fifteen years from their date of issue. The Secretary of the Treasury is authorized and directed to purchase any notes of the Secretary issued hereunder, and for that purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which such securities may be issued under such Act are extended to include purchases of notes issued by the Secretary. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States. The notes issued by the Secretary to the Secretary of the Treasury shall constitute obligations of the Fund.

40 Stat. 288.
31 USC 774.

"(i) The Secretary may retain out of interest payments by the borrower an annual charge in an amount specified in the insurance or sale agreement applicable to the loan. Of the charges retained by the Secretary, if any, not to exceed 1 per centum per annum of the unpaid balance of the loan shall be deposited in the Fund. Any retained charges not deposited in the Fund shall be available for administrative expenses in carrying out the provisions of this title, to be transferred annually, and become merged with any appropriation for administrative expenses of the Farmers Home Administration, when and in such amounts as may be authorized in appropriation Acts.

"(j) The Secretary may also utilize the Fund—

"(1) to pay amounts to which the holder of the note is entitled in accordance with an insurance or sale agreement under this section accruing between the date of any prepayment by the borrower to the Secretary and the date of transmittal of any such prepayments to the holder of the note; and in the discretion of the Secretary, prepayments other than final payments need not be remitted to the holder until due;

"(2) to pay the holder of any note insured under this section any defaulted installment or, upon assignment of the note to the Secretary at the Secretary's request, or pursuant to a purchase agreement, the entire balance outstanding on the note; and

"(3) to pay taxes, insurance, prior liens, expenses necessary to make fiscal adjustments in connection with the application and transmittal of collections, and other expenses and advances to protect the security for loans which are insured under this

section or held in the Fund, and to acquire such security property at foreclosure sale or otherwise.

"RURAL HOUSING DIRECT LOAN ACCOUNT

Rural Housing Direct Loan Account.

"SEC. 518. (a) There is hereby created the Rural Housing Direct Loan Account (hereinafter referred to as the 'Account') which shall be used by the Secretary for carrying out the provisions of this section. There are authorized to be appropriated to the Secretary such sums as may be necessary for the purposes of the Account.

"(b) There are transferred to the Account (1) all funds, claims, notes, mortgages, contracts, and property, and all collections and proceeds therefrom, held by the Secretary under the direct loan provisions of this title, including those securing notes issued by the Secretary to the Secretary of the Treasury under section 511 and any unexpended balance of amounts borrowed upon such notes, and (2) all unexpended balances of appropriations for direct loans under this title, including the fund authorized by section 515(a). All amounts hereafter borrowed by the Secretary from the Secretary of the Treasury under section 511 shall be deposited in the Account. All collections and proceeds from assets acquired by the Account shall be deposited in the Account.

"(c) When and in such amounts as may be authorized in appropriation Acts, the Secretary may issue notes to the Secretary of the Treasury to obtain funds to be deposited in the Account. The form, denominations, maturities, and other terms and conditions of such notes shall be prescribed by the Secretary with the approval of the Secretary of the Treasury. Each note shall bear interest at the average rate determined by the Secretary of the Treasury, payable by the Treasury upon its marketable public obligations outstanding at the beginning of the fiscal year in which such note is issued, which are neither due nor callable for redemption for fifteen years from their date of issue. The Secretary of the Treasury is authorized and directed to purchase any notes of the Secretary issued hereunder, and for that purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which such securities may be issued under such Act are extended to include the purchase of notes issued by the Secretary. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States.

40 Stat. 288.
31 USC 774.

"(d) The Account shall remain available to the Secretary for the payment of interest and principal on notes issued by the Secretary to the Secretary of the Treasury under section 511 or this section, and for direct loans and related advances under this title in such amounts as are now authorized by law and in such further amounts as shall be authorized in appropriation Acts. Amounts so authorized for such loans and advances shall remain available until expended."

63 Stat. 438.
42 USC 1481.

(b) Section 511 of such Act is amended—

(1) by striking out the first sentence and inserting in lieu thereof "The Secretary may issue notes and other obligations for purchase by the Secretary of the Treasury for the purpose of making direct loans under this title.";

(2) by striking out the second sentence and inserting in lieu thereof "The total principal amount of such notes and obligations issued pursuant to this section during the period beginning July 1, 1956, and ending October 1, 1969, shall not exceed $850,000,000."; and

(3) by striking out the fifth sentence and inserting in lieu thereof the following "Each such note or other obligation shall bear interest at the average rate, as determined by the Secretary of the Treasury, payable by the Treasury upon its marketable public obligations outstanding at the beginning of the fiscal year in which such note or other obligation is issued, which are neither due nor callable for redemption for 15 years from their date of issue."

FEDERAL NATIONAL MORTGAGE ASSOCIATION SECONDARY MARKET OPERATIONS FOR INSURED RURAL HOUSING LOANS

SEC. 1004. (a) Section 302(b) of the National Housing Act is amended— 68 Stat. 613. 12 USC 1717.

(1) by inserting immediately after "which are insured under the National Housing Act" the following: "or title V of the Housing Act of 1949"; 42 USC 1471 *et seq.*

(2) by inserting after "any mortgage" in clause (2) of the proviso the following: ", except a mortgage insured under title V of the Housing Act of 1949,"; and

(3) by inserting before the period in the last sentence the following: "or title V of the Housing Act of 1949".

(b) Section 303(b) of such Act is amended by inserting "and other" after "private" in the first sentence. 12 USC 1718.

EXTENSION OF RURAL HOUSING AUTHORIZATIONS

SEC. 1005. (a) Section 512 of the Housing Act of 1949 is amended by striking out "September 30, 1965" and inserting in lieu thereof "October 1, 1969". 78 Stat. 796. 42 USC 1482.

(b) Section 513 of such Act is amended— 42 USC 1483.

(1) by striking out "September 30, 1965" in clause (b) and inserting in lieu thereof "October 1, 1969";

(2) by striking out "$10,000,000" in clause (c) and inserting in lieu thereof "$50,000,000", and by striking out "September 30, 1965" in the same clause and inserting in lieu thereof "October 1, 1969"; and 78 Stat. 798.

(3) by striking out "September 30, 1965" in clause (d) and inserting in lieu thereof "October 1, 1969".

(c) Section 515(b)(5) of such Act is amended by striking out "September 30, 1965" and inserting in lieu thereof "October 1, 1969".

(d) Section 506(a) of such Act is amended by striking out "sections 501 to 504, inclusive, and sections 514—516", each place it occurs and inserting in lieu thereof "this title". 63 Stat. 435. 42 USC 1476.

SUMS EXCESS TO THE NEEDS OF THE RURAL HOUSING INSURANCE FUND OR THE RURAL HOUSING DIRECT LOAN ACCOUNT

SEC. 1006. Title V of the Housing Act of 1949 is amended by adding after section 518 (added by section 1003 of this Act) a new section as follows: 42 USC 1471 *et seq.*

"SUMS EXCESS TO THE NEEDS OF THE RURAL HOUSING INSURANCE FUND OR THE RURAL HOUSING DIRECT LOAN ACCOUNT

"SEC. 519. Any sums in the Rural Housing Insurance Fund or the Rural Housing Direct Loan Account which the Secretary determines are in excess of amounts needed to meet the obligations and carry out the purposes of such Fund or Account shall be returned to miscellaneous receipts of the Treasury."

DEFINITION OF A RURAL AREA

42 USC 1471 *et seq.*

SEC. 1007. Title V of the Housing Act of 1949 is amended by adding at the end thereof (after the new section added by section 1006 of this Act) the following new section:

"DEFINITION OF RURAL AREA

"SEC. 520. As used in this title, the terms 'rural' and 'rural area' mean any open country, or any place, town, village, or city which is not part of or associated with an urban area and which (1) has a population not in excess of 2,500 inhabitants, or (2) has a population in excess of 2,500 but not in excess of 5,500 if it is rural in character."

TITLE XI—MISCELLANEOUS

ANNUAL REPORT ON HOUSING AND URBAN DEVELOPMENT PROGRAMS

68 Stat. 642.
12 USC 1701*o*.

SEC. 1101. Section 802(a) of the Housing Act of 1954 is amended to read as follows:

"(a) The Housing and Home Finance Administrator shall, as soon as practicable during each calendar year, make a report to the President for submission to the Congress on all operations and programs (including but not limited to the FHA insurance, urban renewal, public housing, and rent supplement programs) under the jurisdiction of the Housing and Home Finance Agency during the previous calendar year. Such report shall contain recommendations for strengthening or improving such programs, or, when necessary to implement more effectively Congressional policies and purposes, for establishing new or alternative programs."

URBAN PLANNING GRANTS

73 Stat. 678;
78 Stat. 792, 793.
40 USC 461.

SEC. 1102. (a) The fifth sentence of section 701(b) of the Housing Act of 1954 is amended by striking out "$105,000,000" and inserting in lieu thereof "$230,000,000".

(b) Section 701(b) of such Act is amended by striking out the period at the end and inserting in lieu thereof the following: ": *Provided*, That not to exceed 5 per centum of any funds so appropriated may be used by the Administrator for studies, research, and demonstration projects, undertaken independently or by contract, for the development and improvement of techniques and methods for comprehensive planning and for the advancement of the purposes of this section."

(c)(1) Section 701 of such Act is amended by adding at the end thereof a new subsection as follows:

"(g) In addition to the planning grants authorized by subsection (a), the Administrator is further authorized to make grants to organizations composed of public officials whom he finds to be representative of the political jurisdictions within a metropolitan area or urban region for the purpose of assisting such organizations to undertake studies, collect data, develop regional plans and programs, and engage in such other activities as the Administrator finds necessary or desirable for the solution of the metropolitan or regional problems in such areas or regions. To the maximum extent feasible, all grants under this subsection shall be for activities relating to all the developmental aspects of the total metropolitan area or urban region, including, but not limited to, land use, transportation, housing, economic development, natural resources development, community facilities, and the

general improvement of living environments. A grant under this subsection shall not exceed two-thirds of the estimated cost of the work for which the grant is made."

(2) Section 701(b) of such Act is amended— 73 Stat. 678. 40 USC 461.

(A) by inserting "planning" immediately before "grant" the first time it appears in the first sentence, and

(B) by striking out "planning" in the fourth sentence.

(d) Section 701(b) of such Act is amended by inserting after "Area Redevelopment Act" the following: "(or under any Act supplementary thereto)".

AUTHORIZATION FOR FEDERAL-STATE TRAINING PROGRAMS

SEC. 1103. (a) Section 802(d) of the Housing Act of 1964 is amended by striking out "$10,000,000" and inserting in lieu thereof "$30,000,000". 78 Stat. 803. 20 USC 802.

(b) Section 803 of such Act is amended (1) by striking out "authorized to be", and (2) by striking out "by section 802(d)" and inserting in lieu thereof "for the purposes of this part". 20 USC 803.

AUTHORIZATION FOR PUBLIC WORKS PLANNING ADVANCES

SEC. 1104. The second sentence of section 702(e) of the Housing Act of 1954 is amended by striking out "$20,000,000" and inserting in lieu thereof "$70,000,000". 78 Stat. 799. 40 USC 462.

AUTHORIZATION FOR LOW-INCOME HOUSING DEMONSTRATION PROGRAMS

SEC. 1105. Section 207 of the Housing Act of 1961 is amended by striking out "$10,000,000" and inserting in lieu thereof "$15,000,000". 78 Stat. 796. 42 USC 1436.

ADVISORY COMMITTEES—TECHNICAL PROVISION

SEC. 1106. Section 601 of the Housing Act of 1949 is amended by striking out the second sentence. 68 Stat. 645. 12 USC 1701h.

PUBLIC FACILITY LOANS

SEC. 1107. (a) Section 202(c) of the Housing Amendments of 1955 is amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of this title, the Administrator may extend financial assistance, as otherwise authorized by clause (1) of subsection (a) of this section, to any private nonprofit corporation to finance the construction of works for the storage, treatment, purification, or distribution of water or the construction of sewage, sewage treatment, and sewer facilities, if such works or facilities are needed to serve a smaller municipality or rural area, and there is no existing public body able to construct and operate such works or facilities." 69 Stat. 643. 42 USC 1492.

(b) Section 202(b)(4) of such amendments is amended— 75 Stat. 174; 78 Stat. 798.

(1) by striking out the parenthetical phrase in clause (A) and inserting in lieu thereof the following: "(one hundred fifty thousand or more in the case of a community situated in an area designated as a redevelopment area under the Area Redevelopment Act or any Act supplementary thereto)"; and 75 Stat. 47. 42 USC 2501 note.

(2) by inserting after "public works or facilities" in the second sentence the following: "(i) in a community in or near which is located a research or development installation of the National Aeronautics and Space Administration, or (ii)".

FHA CONFORMING AMENDMENTS

53 Stat. 805.
12 USC 1703.

SEC. 1108. (a) Section 2(f) of the National Housing Act is amended by striking out all that follows the first sentence.

64 Stat. 50.
12 USC 1706c.

(b) Section 8 of such Act is amended—

(1) by striking out "Title I Housing Insurance Fund" in subsection (g) and inserting in lieu thereof "General Insurance Fund"; and

(2) by striking out subsections (h) and (i).

75 Stat. 157.
12 USC 1709.

(c) Section 203(k) of such Act is amended—

(1) by striking out "a separate section 203 Home Improvement Account to be maintained as hereinafter provided under the Mutual Mortgage Insurance Fund" in clause (3) of the first sentence and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out "the section 203 Home Improvement Account or in debentures executed in the name of such Account" in clause (4) of the first sentence and inserting in lieu thereof "the General Insurance Fund or in debentures executed in the name of such Fund";

(3) by striking out all of the third sentence which follows "refer to this section 203(k)" and inserting in lieu thereof a period; and

(4) by striking out the fourth, fifth, and sixth sentences.

12 USC 1710.

(d) Section 204 of such Act is amended—

(1) by striking out "or section 210" in the first sentence of subsection (a);

(2) by striking out all of the second sentence of subsection (c) after "the mortgagee" and inserting in lieu thereof "from the Mutual Mortgage Insurance Fund.";

(3) by striking out all of the first sentence of subsection (d) after "shall be negotiable" the first place it appears and inserting in lieu thereof a period;

(4) by striking out "the Fund" each place it appears in subsection (d) and inserting in lieu thereof "the Mutual Mortgage Insurance Fund";

(5) by striking out "or the Housing Fund, as the case may be," in the fifth sentence of subsection (d);

(6) by striking out "or the Housing Fund" in the sixth sentence of subsection (d); and

(7) by striking out the matter in subsection (f)(1)(i) which follows "section 203" and precedes the colon.

52 Stat. 16.
12 USC 1713.

(e) Section 207 of such Act is amended—

(1) by striking out "and section 210" in the first sentence of subsection (d);

(2) by striking out "of the Housing Insurance Fund issued by the Commissioner under this title" in the first sentence of subsection (d) and inserting in lieu thereof the following: "issued by the Commissioner under any title and section of this Act, except debentures of the Mutual Mortgage Insurance Fund, or of the Cooperative Management Housing Insurance Fund";

(3) by striking out subsections (f), (m), and (p); and

(4) by striking out "the Housing Insurance Fund" and "the Housing Fund" each place they appear in subsections (b), (h), (i), (j), (k), and (l) and inserting in lieu thereof "the General Insurance Fund".

12 USC 1715.

(f) Section 209 of such Act is amended by striking out "or account or accounts," in the second sentence.

(g) Section 213 of such Act is amended— 64 Stat. 54. 12 USC 1715e.

(1) by striking out "the Housing Fund" in subsection (a)(3) and inserting in lieu thereof "the Cooperative Management Housing Insurance Fund"; and

(2) by striking out "(l), (m), (n), and (p)" in subsection (e) and inserting in lieu thereof "(l), and (n)".

(h) Section 220 of such Act is amended— 68 Stat. 596. 12 USC 1715k.

(1) by striking out "the section 220 Housing Insurance Fund" each place it appears in subsections (d)(2) and (f) and inserting in lieu thereof "the General Insurance Fund";

(2) by inserting "and" immediately before "(B)" in the second full sentence in subsection (f)(3), and by striking out ", and (C)" and all that follows in such sentence and inserting in lieu thereof a period;

(3) by striking out subsections (g) and (h)(4); and

(4) by striking out "the section 220 Home Improvement Account" each place it appears in subsections (h)(5) and (h)(7) and inserting in lieu thereof "the General Insurance Fund".

(i) Section 221 of such Act is amended— 12 USC 1715l.

(1) by striking out "the section 221 Housing Insurance Fund" each place it appears in subsections (d)(4), (f), (g)(1), and (g)(3) and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out all of subsection (g)(2) after "mortgages insured under this section" and inserting in lieu thereof "; or";

(3) by inserting "and" immediately before "(B)" in the first full sentence in subsection (g)(3), and by striking out ", and (C)" and all that follows in such sentence and inserting in lieu thereof a period; and

(4) by striking out subsection (h).

(j) Section 222 of such Act is amended— 12 USC 1715m.

(1) by striking out "Servicemen's Mortgage Insurance Fund" in subsection (e) and inserting in lieu thereof "General Insurance Fund"; and

(2) by striking out subsection (f).

(k) Section 229 of such Act is amended by striking out "and Accounts" in the first sentence.

(l) Section 231 of such Act is amended— 73 Stat. 665. 12 USC 1715v.

(1) by striking out "the section 207 Housing Insurance Fund" in subsection (c)(4) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out "(f), (g), (h), (i), (j), (k), (l), (m), (n), and (p)" in subsection (e) and inserting in lieu thereof "(g), (h), (i), (j), (k), (l), and (n)".

(m) Section 232 of such Act is amended— 73 Stat. 663. 12 USC 1715w.

(1) by striking out "the section 207 Housing Insurance Fund" in subsection (d)(1) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out "(f), (g), (h), (i), (j), (k), (l), (m), (n), and (p)" in subsection (f) and inserting in lieu thereof "(g), (h), (i), (j), (k), (l), and (n)".

(n) Section 233 of such Act is amended— 75 Stat. 158. 12 USC 1715x.

(1) by striking out "the Experimental Housing Insurance Fund" in clause (1) of the third sentence of subsection (f) and inserting in lieu thereof "the General Insurance Fund";

(2) by inserting "and" immediately before "(2)" in the third sentence of subsection (f), and by striking out ", and (3)" and all that follows and inserting in lieu thereof a period; and

(3) by striking out subsection (g).

75 Stat. 160.
12 USC 1715y.

(o) Section 234 of such Act is amended—

(1) by striking out "the Apartment Unit Insurance Fund" in subsections (d)(2) and (g) and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out subsection (h) and inserting in lieu thereof the following:

"(h) The provisions of subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 shall be applicable to mortgages insured under subsection (d) of this section."; and

52 Stat. 16.
12 USC 1713.

(3) by striking out subsection (i) and redesignating subsection (j) as subsection (i).

55 Stat. 58.
12 USC 1739.

(p) Section 604 of such Act is amended by striking out "the War Housing Insurance Fund" each place it appears in subsections (c), (d), and (f)(1)(i) and inserting in lieu thereof "the General Insurance Fund".

56 Stat. 303.
12 USC 1743.

(q) Section 608 of such Act is amended—

(1) by striking out "the War Housing Insurance Fund" each place it appears in subsections (b)(1) and (d) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out subsection (f) and inserting in lieu thereof the following:

"(f) The provisions of section 207(k) of this Act shall be applicable to mortgages insured under this section, except that, as applied to such mortgages, the reference therein to subsection (g) shall be construed to refer to subsection (c) of this section."

61 Stat. 193.
12 USC 1744.

(r) The first sentence of section 609(f) of such Act is amended by striking out clause (1) and redesignating clauses (2), (3), and (4) as clauses (1), (2), and (3), respectively.

62 Stat. 1278.
12 USC 1747f.

(s) Section 707 of such Act is amended by striking out "the Housing Investment Insurance Fund" and inserting in lieu thereof "the General Insurance Fund".

12 USC 1747g.

(t) Section 708 of such Act is amended by striking out "the Housing Investment Insurance Fund" each place it appears in subsections (c), (e), (g), and (h) and inserting in lieu thereof "the General Insurance Fund".

69 Stat. 647.
12 USC 1748b.

(u) Section 803 of such Act is amended—

(1) by striking out "the Armed Services Housing Mortgage Insurance Fund" each place it appears in subsections (b)(1), (b)(2), (e), (f), and (g) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out subsection (h) and inserting in lieu thereof the following:

"(h) The provisions of section 207(k) and section 207(l) of this Act shall be applicable to mortgages insured under this title and to property acquired by the Commissioner hereunder, except that, as applied to such mortgages and property, the reference in section 207 (k) to subsection (g) shall be construed to refer to subsection (d) of this section."

70 Stat. 273.
12 USC 1748h-1.

(v) Section 809 of such Act is amended by striking out "the Armed Services Housing Mortgage Insurance Fund" each place it appears in subsections (b), (e), and (g) and inserting in lieu thereof "the General Insurance Fund".

73 Stat. 683.
12 USC 1748h-2.

(w) Section 810 of such Act is amended—

(1) by striking out "the Armed Services Housing Mortgage Insurance Fund" in subsection (e) and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out "(l), (m), (n), and (p)" in subsection (j) and inserting in lieu thereof "(l), and (n)"; and

(3) by striking out the proviso in subsection (j) and inserting in lieu thereof the following: ": *Provided*, That wherever the words 'Fund' or 'Mutual Mortgage Insurance Fund' appear in section 204, such reference shall refer to the General Insurance Fund with respect to mortgages insured under this section". 52 Stat. 12. 12 USC 1710.

(x) Section 903 of such Act is amended by striking out "the National Defense Housing Insurance Fund" each place it appears in subsection (a) and inserting in lieu thereof "the General Insurance Fund". 65 Stat. 296. 12 USC 1750b.

(y) Section 904 of such Act is amended— 12 USC 1750c.

(1) by striking out "the National Defense Housing Insurance Fund" each place it appears in subsections (c) and (d) and inserting in lieu thereof "the General Insurance Fund"; and

(2) by striking out all of subsection (e) which follows "of this Act" and inserting in lieu thereof a period.

(z) Section 908 of such Act is amended— 12 USC 1750g.

(1) by striking out "the National Defense Housing Insurance Fund" in subsection (b)(1) and inserting in lieu thereof "the General Insurance Fund";

(2) by striking out all of subsection (d) which follows "of this Act" and inserting in lieu thereof a period; and

(3) by striking out subsection (f) and inserting in lieu thereof the following:

"(f) The provisions of section 207(k) and section 207(l) of this Act shall be applicable to mortgages insured under this section and to property acquired by the Commissioner hereunder, except that, as applied to such mortgages and property, the reference therein to subsection (g) shall be construed to refer to subsection (c) of this section." 52 Stat. 16. 12 USC 1713.

(aa) Sections 219, 602, 605, 710, 802, 804, 902, and 905 of such Act are repealed. Repeals.

(bb) Section 1 of such Act is amended by striking out "titles II, III, VI, VII, VIII, and IX", each place it appears, and inserting in lieu thereof "titles II, III, V, VI, VII, VIII, IX, and X". 12 USC 1702.

REPEAL OF SPECIAL PROVISION IN URBAN MASS TRANSPORTATION ACT

SEC. 1109. Section 9 of the Urban Mass Transportation Act of 1964 is amended by striking out subsection (c) and redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively. 78 Stat. 306. 49 USC 1608.

SAVINGS AND LOAN ASSOCIATIONS

SEC. 1110. (a) Section 5(c) of the Home Owners' Loan Act of 1933 is amended by adding at the end of the first paragraph a new sentence as follows: "Structures or parts thereof designed or used as fraternity or sorority houses which include sleeping accommodations for students of a college or university, or designed or used principally for the provision of living accommodations for persons who are students, employees, or members of the staff of a college, university, or hospital, shall be considered, subject to such regulations as the Board may prescribe, 'other dwelling units' for the purposes of this subsection." 48 Stat. 132. 12 USC 1464.

(b) The ninth paragraph of section 5(c) of such Act is amended by striking out "fifteen years" and inserting in lieu thereof "ten years". 78 Stat. 805.

(c) Section 5(c) of such Act is further amended by adding at the end thereof (after the new paragraph added by section 201(b)(3) of this Act) the following new paragraph:

"No building and loan association incorporated under the laws of the District of Columbia or organized in such District or doing business in such District shall establish any branch or move its principal

office or any branch without the prior written approval of the Federal Home Loan Bank Board, and no other building and loan association shall establish any branch in such District or move its principal office or any branch in such District without such approval. As used in the sentence next preceding, 'branch' means any office, place of business, or facility, other than the principal office as defined by the Board, of a building and loan association at which accounts are opened or payments thereon are received or withdrawals therefrom are paid, or any other office, place of business, or facility of a building and loan association defined by the Board as a branch within the meaning of such sentence, and as used in such sentence and in this sentence 'building and loan association' means any incorporated or unincorporated building, building or loan, building and loan, savings and loan, or homestead association or cooperative bank."

48 Stat. 1258.
12 USC 1727.

(d) Section 404 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(h)(1) Each insured institution shall make such deposits in the Corporation as may from time to time be required by call of the Federal Home Loan Bank Board. Any such call shall be calculated by applying a specified percentage, which shall be the same for all insured institutions, to the total amount of all withdrawable or repurchasable shares, investment certificates, and deposits in each insured institution. No such call shall be made unless such Board determines that the total amount of such call, plus the outstanding deposits previously made pursuant to such calls, does not exceed 1 per centum of the total amount of all withdrawable or repurchasable shares, investment certificates, and deposits in all insured institutions. For the purposes of this subsection, the total amounts hereinabove referred to shall be determined or estimated by such Board or in such manner as it may prescribe.

"(2) The Corporation, in accordance with such regulations as it may prescribe, shall credit as of the close of each calendar year, to each deposit outstanding at such close, a return on the outstanding balance, as determined by the Corporation, of such deposit during such calendar year, at a rate equal to the average annual rate of return, as determined by the Corporation, to the Corporation during the year ending at the close of November 30 of such calendar year, on the investments held by the Corporation in obligations of, or guaranteed as to principal and interest by, the United States.

"(3) The Corporation in its discretion may at any time repay all such deposits, or repay pro rata a portion of each of such deposits, in such manner and under such procedure as the Corporation may prescribe by regulation or otherwise. Any procedure for such pro rata repayment may provide for total repayment of any deposit, if total repayment of any and all deposits of equal or smaller amount is likewise provided for.

"(4) The provisions of subsection (f) of this section and of the last sentence of subsection (e) of this section shall be applicable to deposits under this subsection, and for the purposes of this subsection the references in such subsection (f) and such last sentence to the prepayments and the pro rata shares therein mentioned shall be deemed instead to be references respectively to the deposits under this subsection and the pro rata shares of the holders thereof, and the references in such subsection (f) to that subsection (except the last such reference) and to subsection (d) of this section shall be deemed instead to be references to this subsection."

FEDERAL RESERVE ACT

SEC. 1111. Section 24 of the Federal Reserve Act is amended by striking out "eighteen months", wherever it appears in the third paragraph, and inserting in lieu thereof "twenty-four months".

76 Stat. 663.
12 USC 371.

REPAYMENT OF CERTAIN PLANNING GRANTS

SEC. 1112. Notwithstanding any other provision of law, no advance made under section 501 of Public Law 458, Seventy-eighth Congress; Public Law 352, Eighty-first Congress; or section 702, Housing Act of 1954, Public Law 560, Eighty-third Congress, for the planning of any public works project shall be required to be repaid if construction of such project has been heretofore or is hereafter initiated as a result of a grant-in-aid made from an allocation made by the President under the Public Works Acceleration Act.

58 Stat. 791.
50 USC app. 1671.
63 Stat. 841.
40 USC 451-458.
69 Stat. 641.
40 USC 462.
76 Stat. 541.
42 USC 2641 note.

STUDY CONCERNING RELIEF OF HOMEOWNERS IN PROXIMITY TO AIRPORTS

SEC. 1113. The Housing and Home Finance Administrator shall undertake a study to determine feasible methods of reducing the economic loss and hardship suffered by homeowners as the result of the depreciation in the value of their properties following the construction of airports in the vicinity of their homes, including a study of feasible methods of insulating such homes from the noise of aircraft. Findings and recommendations resulting from such study shall be reported to the President for transmission to the Congress at the earliest practicable date, but in no event later than one year after the date of the enactment of this Act.

Report to President and Congress.

Approved August 10, 1965.

Public Law 89-118

AN ACT

August 11, 1965
[S. 24]

To expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, 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 expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, the Act of July 3, 1952 (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.), is hereby further amended as follows:

Saline water conversion program.

75 Stat. 628.

(1) In section 2(b) add the words ", module, component," after the word "laboratory".

(2) In section 8 substitute "$90,000,000, plus such additional sums as the Congress may hereafter authorize and appropriate but not to exceed $185,000,000," in lieu of "$75,000,000 in all," and substitute "1972" for "1967".

Approved August 11, 1965.

Public Law 89-119

August 12, 1965
[H. R. 8111]

AN ACT

To establish the Herbert Hoover National Historical Site in the State of Iowa.

Herbert Hoover National Historic Site, Iowa. 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 in public ownership historically significant properties associated with the life of Herbert Hoover, the Secretary of the Interior may acquire the necessary acres of land or interests in land (including scenic easements) in or near West Branch, Iowa, by donation, purchase with donated or appropriated funds, transfer from a Federal agency, or otherwise. Such property shall be known as the Herbert Hoover National Historic Site.

SEC. 2. The Secretary of the Interior and the Administrator of General Services may enter into agreements which provide for the—

(1) transfer of lands and other property, except the Herbert Hoover Library building, from the administrative control of the Administrator to that of the Secretary without transfer of funds; and

(2) use by the Administrator of portions of facilities constructed by the Secretary.

SEC. 3. The Secretary shall administer the Herbert Hoover National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666).

16 USC 1 *et seq.*
16 USC 461-467.

Appropriation.

SEC. 4. There are authorized to be appropriated not more than $1,650,000 for land acquisition and development in connection with the Herbert Hoover National Historic Site as provided in this Act.

Approved August 12, 1965.

Public Law 89-120

August 13, 1965
[S. 579]

AN ACT

For the relief of the State of New Hampshire.

State of New Hampshire. Payment of claim.

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 State of New Hampshire the sum of $23,292.50. The payment of such sum shall be in full satisfaction of all claims of the State of New Hampshire against the United States on account of judgments rendered against such State in connection with personal injury and property damage caused by the collision between a private automobile and an Army truck which was owned by the United States and which was, at the time of such collision (August 16, 1958), being operated by a member of the New Hampshire National Guard in Canton, Massachusetts, Public Highway Route 138, while on active duty for training mission authorized by the National Guard Bureau, Department of Defense: *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 August 13, 1965.

Public Law 89-121

AN ACT

August 13, 1965
[H. R. 7954]

To amend the Communications Act of 1934 to conform to the Convention for the Safety of Life at Sea, London (1960).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Communications Act of 1934, as amended (47 U.S.C. 153), is amended as follows:

Communications Act of 1934, amendments.
50 Stat. 189.
Definitions.

(1) Subsection (w) is amended by adding the following new paragraph at the end thereof:

"(5) 'Nuclear ship' means a ship provided with a nuclear powerplant."

(2) Subsection (x) is amended to read as follows:

"(x) 'Radiotelegraph auto alarm' on a ship of the United States subject to the provisions of part II of title III of this Act means an automatic alarm receiving apparatus which responds to the radiotelegraph alarm signal and has been approved by the Commission. 'Radiotelegraph auto alarm' on a foreign ship means an automatic alarm receiving apparatus which responds to the radiotelegraph alarm signal and has been approved by the government of the country in which the ship is registered: *Provided*, That the United States and the country in which the ship is registered are parties to the same treaty, convention, or agreement prescribing the requirements for such apparatus. Nothing in this Act or in any other provision of law shall be construed to require the recognition of a radiotelegraph auto alarm as complying with part II of title III of this Act, on a foreign ship subject to such part, where the country in which the ship is registered and the United States are not parties to the same treaty, convention, or agreement prescribing the requirements for such apparatus."

50 Stat. 192; 68 Stat. 704; *Post*, pp. 512-517.
47 USC 351-362.

(3) Subsection (y) is amended to read as follows:

"(y)(1) 'Operator' on a ship of the United States means, for the purpose of parts II and III of title III of this Act, a person holding a radio operator's license of the proper class as prescribed and issued by the Commission.

70 Stat. 1048.
47 USC 381-386.

"(2) 'Operator' on a foreign ship means, for the purpose of part II of title III of this Act, a person holding a certificate as such of the proper class complying with the provisions of the radio regulations annexed to the International Telecommunication Convention in force, or complying with an agreement or treaty between the United States and the country in which the ship is registered."

12 UST 1761.

(4)(A) Subsections (aa) through (dd) are redesignated as subsections (bb) through (ee), respectively; (B) subsections (ee) and (ff) are repealed; (C) subsection (gg) is redesignated as subsection (ff); (D) subsection (z) is redesignated as subsection (aa); and (E) the following new subsection is inserted immediately after subsection (y):

66 Stat. 711; 68 Stat. 707, 729.

"(z)(1) 'Radio officer' on a ship of the United States means, for the purpose of part II of title III of this Act, a person holding at least a first or second class radiotelegraph operator's license as prescribed and issued by the Commission. When such person is employed to operate a radiotelegraph station aboard a ship of the United States, he is also required to be licensed as a 'radio officer' in accordance with the Act of May 12, 1948 (46 U.S.C. 229a-h).

62 Stat. 232.

"(2) 'Radio officer' on a foreign ship means, for the purpose of part II of title III of this Act, a person holding at least a first or second

class radiotelegraph operator's certificate complying with the provisions of the radio regulations annexed to the International Telecommunication Convention in force."

12 UST 1761.

SEC. 2. (a) The heading of section 351 of the Communications Act of 1934 is amended to read as follows: "SHIP RADIO STATIONS AND OPERATIONS".

50 Stat. 192; 68 Stat. 704. 47 USC 351.

(b) Subsection (a) of such section 351 is amended to read as follows:

47 USC 352.

"(a) Except as provided in section 352 hereof it shall be unlawful—

"(1) For any ship of the United States, other than a cargo ship of less than three hundred gross tons, to be navigated in the open sea outside of a harbor or port, or for any ship of the United States or any foreign country, other than a cargo ship of less than three hundred gross tons, to leave or attempt to leave any harbor or port of the United States for a voyage in the open sea, unless such ship is equipped with an efficient radio station in operating condition, as specified by subparagraphs (A) and (B) of this paragraph, in charge of and operated by one or more radio officers or operators, adequately installed and protected so as to insure proper operation, and so as not to endanger the ship and radio station as hereinafter provided, and, in the case of a ship of the United States, unless there is on board a valid station license issued in accordance with this Act.

"(A) Passenger ships irrespective of size and cargo ships of one thousand six hundred gross tons and upward shall be equipped with a radiotelegraph station complying with the provisions of this part;

"(B) Cargo ships of three hundred gross tons and upward but less than one thousand six hundred gross tons, unless equipped with a radiotelegraph station complying with the provisions of this part, shall be equipped with a radiotelephone station complying with the provisions of this part.

"(2) For any ship of the United States of one thousand six hundred gross tons and upward to be navigated in the open sea outside of a harbor or port, or for any such ship of the United States or any foreign country to leave or attempt to leave any harbor or port of the United States for a voyage in the open sea, unless such ship is equipped with efficient radio direction finding apparatus approved by the Commission, properly adjusted in operating condition as hereinafter provided."

SEC. 3. (a) Subsection (a) of section 352 of the Communications Act of 1934 is amended by striking out paragraph (6) and inserting after paragraph (5) thereof the following new paragraphs:

"(6) A ship navigating solely on any bays, sounds, rivers, or protected waters within the jurisdiction of the United States, or to a ship leaving or attempting to leave any harbor or port of the United States for a voyage solely on any bays, sounds, rivers, or protected waters within the jurisdiction of the United States;

"(7) A ship navigating solely on the Great Lakes of North America and the River Saint Lawrence as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island, and, on the north side of Anticosti Island, the sixty-third meridian, or to a ship leaving or attempting to leave any harbor or port of the United States for a voyage solely on such waters and within such area;

"(8) A ship which is navigated during the course of a voyage both on the Great Lakes of North America and in the open sea, during the period while such ship is being navigated within the Great Lakes of

North America and their connecting and tributary waters as far east as the lower exit of the Saint Lambert lock at Montreal in the Province of Quebec, Canada."

(b) Subsection (b) of such section 352 is amended by striking out all through paragraph (1) and inserting in lieu thereof the following: 50 Stat. 193. 47 USC 352.

"(b) Except for nuclear ships, the Commission may, if it considers that the route or the conditions of the voyage or other circumstances are such as to render a radio station unreasonable or unnecessary for the purposes of this part, exempt from the provisions of this part any ship or class of ships which falls within any of the following descriptions:

"(1) Passenger ships which in the course of their voyage do not go more than twenty nautical miles from the nearest land or, alternatively, do not go more than two hundred nautical miles between two consecutive ports;"

(c) Such section 352 is further amended by adding at the end thereof the following new subsection:

"(d) Except for nuclear ships, and except for ships of five thousand gross tons and upward which are subject to the Safety Convention, the Commission may exempt from the requirements, for radio direction finding apparatus, of this part and of the Safety Convention, any ship which falls within the descriptions set forth in paragraphs (1), (2), (3), and (4) of subsection (b) of this section, if it considers that the route or conditions of the voyage or other circumstances are such as to render such apparatus unreasonable or unnecessary." 16 UST 185.

SEC. 4. Section 353 of the Communications Act of 1934 is amended to read as follows: 68 Stat. 705. 47 USC 353.

"RADIO OFFICERS, WATCHES, AUTO ALARM-RADIOTELEGRAPH EQUIPPED SHIPS

"SEC. 353. (a) Each cargo ship which in accordance with this part is equipped with a radiotelegraph station and which is not equipped with a radiotelegraph auto alarm, and each passenger ship required by this part to be equipped with a radiotelegraph station, shall, for safety purposes, carry at least two radio officers.

"(b) A cargo ship which in accordance with this part is equipped with a radiotelegraph station, which is equipped with a radiotelegraph auto alarm, shall, for safety purposes, carry at least one radio officer who shall have had at least six months' previous service in the aggregate as a radio officer in a station on board a ship or ships of the United States.

"(c) Each ship of the United States which in accordance with this part is equipped with a radiotelegraph station shall, while being navigated in the open sea outside of a harbor or port, keep a continuous watch by means of radio officers whenever the station is not being used for authorized traffic: *Provided*, That, in lieu thereof, on a cargo ship equipped with a radiotelegraph auto alarm in proper operating condition, a watch of at least eight hours per day, in the aggregate, shall be maintained by means of a radio officer.

"(d) The Commission shall, when it finds it necessary for safety purposes, have authority to prescribe the particular hours of watch on a ship of the United States which in accordance with this part is equipped with a radiotelegraph station.

"(e) On all ships of the United States equipped with a radiotelegraph auto alarm, said apparatus shall be in operation at all times while the ship is being navigated in the open sea outside of a harbor or port when the radio officer is not on watch."

68 Stat. 706.
47 USC 353a.

SEC. 5. Section 354 of the Communications Act of 1934 is amended to read as follows:

"OPERATORS, WATCHES—RADIO TELEPHONE EQUIPPED SHIPS

"SEC. 354. (a) Each cargo ship which in accordance with this part is equipped with a radiotelephone station shall, for safety purposes, carry at least one operator who may be the master, an officer, or a member of the crew.

"(b) Each cargo ship of the United States which in accordance with this part is equipped with a radiotelephone station shall, while being navigated in the open sea outside of a harbor or port, maintain continuous watch whenever the station is not being used for authorized traffic."

47 USC 354.

SEC. 6. Section 355 of the Communications Act of 1934 is amended to read as follows:

"TECHNICAL REQUIREMENTS—RADIOTELEGRAPH EQUIPPED SHIPS

"SEC. 355. The radiotelegraph station and the radio direction finding apparatus required by section 351 of this part shall comply with the following requirements:

Ante, p. 512.

"(a) The radiotelegraph station shall include a main installation and a reserve installation, electrically separate and electrically independent of each other: *Provided*, That, in installations on cargo ships of three hundred gross tons and upward but less than one thousand six hundred gross tons, and in installations on cargo ships of one thousand six hundred gross tons and upward installed prior to November 19, 1952, if the main transmitter complies with all the requirements for the reserve transmitter, the latter may be omitted.

"(b) The radiotelegraph station shall be so located that no harmful interference from extraneous mechanical or other noise will be caused to the proper reception of radio signals, and shall be placed in the upper part of the ship in a position of the greatest possible safety and as high as practicable above the deepest load waterline. The location of the radiotelegraph operating room or rooms shall be approved by the Commandant of the Coast Guard. The radiotelegraph installation shall be installed in such a position that it will be protected against the harmful effects of water or extremes of temperature, and shall be readily accessible both for immediate use in case of distress and for repair.

"(c) The radiotelegraph operating room shall be of sufficient size and of adequate ventilation to enable the main and reserve radiotelegraph installations to be operated efficiently, and shall not be used for any purpose which will interfere with the operation of the radiotelegraph station. The sleeping accommodation of at least one radio officer shall be situated as near as practicable to the radiotelegraph operating room. In ships the keels of which are laid on or after May 26, 1965, this sleeping accommodation shall not be within the radiotelegraph operating room.

"(d) The main and reserve installations shall be capable of transmitting and receiving on the frequencies, and using the classes of emission, designated by the Commission pursuant to law for the purposes of distress and safety of navigation.

"(e) The main and reserve installations shall, when connected to the main antenna, have a minimum normal range of two hundred nautical miles and one hundred nautical miles, respectively; that is, they must be capable of transmitting and receiving clearly perceptible signals from ship to ship by day and under normal conditions and circumstances over the specified ranges.

"(f) Sufficient electrical energy shall be available at all times to operate the main installation over the normal range required by subsection (e) of this section as well as for the purpose of charging any batteries forming part of the radiotelegraph station.

"(g) The reserve installation shall include a source of electrical energy independent of the propelling power of the ship and of any other electrical system and shall be capable of being put into operation rapidly and of working for at least six continuous hours. The reserve source of energy and its switchboard shall be as high as practicable in the ship and readily accessible to the radio officer.

"(h) There shall be provided between the bridge of the ship and the radiotelegraph operating room, and between the bridge and the location of the radio direction finding apparatus, when such apparatus is not located on the bridge, an efficient two-way system for calling and voice communication which shall be independent of any other communication system in the ship.

"(i) The radio direction finding apparatus shall be efficient and capable of receiving signals with the minimum of receiver noise and of taking bearings from which the true bearing and direction may be determined. It shall be capable of receiving signals on the radiotelegraph frequencies assigned by the radio regulations annexed to the International Telecommunication Convention in force for the purposes of distress, direction finding, and maritime radio beacons, and, in installations made after May 26, 1965, such other frequencies as the Commission may for safety purposes designate."

12 UST 1761.

SEC. 7. Section 356 of the Communications Act of 1934 is amended to read as follows:

68 Stat. 706.
47 USC 354a.

"TECHNICAL REQUIREMENTS—RADIOTELEPHONE EQUIPPED SHIPS

"SEC. 356. Cargo ships of three hundred gross tons and upward but less than one thousand six hundred gross tons may, in lieu of the radiotelegraph station prescribed by section 355, be equipped with a radiotelephone station complying with the following requirements:

Ante, p. 514.

"(a) The radiotelephone station shall be in the upper part of the ship, so located that it is sheltered to the greatest possible extent from noise which might impair the correct reception of messages and signals, and, unless such station is situated on the bridge, there shall be efficient communication with the bridge.

"(b) The radiotelephone installation shall be capable of transmitting and receiving on the frequencies, and using the classes of emission, designated by the Commission pursuant to law for the purposes of distress and safety of navigation.

"(c) The radiotelephone installation shall have a minimum normal range of one hundred and fifty nautical miles; that is, it shall be capable of transmitting and receiving clearly perceptible signals from ship to ship by day and under normal conditions and circumstances over this range.

"(d) There shall be available at all times a main source of electrical energy sufficient to operate the installation over the normal range required by subsection (c) of this section. If batteries are provided they shall have sufficient capacity to operate the transmitter and receiver for at least six continuous hours under normal working conditions. In installations made on or after November 19, 1952, a reserve source of electrical energy shall be provided in the upper part of the ship unless the main source of energy is so situated."

68 Stat. 707.
47 USC 355.

SEC. 8. Section 357 of the Communications Act of 1934 is amended to read as follows:

"SURVIVAL CRAFT

"SEC. 357. Every ship required to be provided with survival craft radio by treaty to which the United States is a party, by statute, or by regulation made in conformity with a treaty, convention, or statute, shall be fitted with efficient radio equipment appropriate to such requirement under such rules and regulations as the Commission may find necessary for safety of life. For purposes of this section, 'radio equipment' shall include portable as well as nonportable apparatus."

50 Stat. 195;
68 Stat. 706.
47 USC 357.

SEC. 9. Subsection (a) of section 359 of the Communications Act of 1934 is amended to read as follows:

"(a) The master of every ship of the United States, equipped with radio transmitting apparatus, which meets with dangerous ice, a dangerous derelict, a tropical storm, or any other direct danger to navigation, or encounters subfreezing air temperatures associated with gale force winds causing severe ice accretion on superstructures, or winds of force 10 or above on the Beaufort scale for which no storm warning has been received, shall cause to be transmitted all pertinent information relating thereto to ships in the vicinity and to the appropriate authorities on land, in accordance with rules and regulations issued by the Commission. When they consider it necessary, such authorities of the United States shall promptly bring the information received by them to the knowledge of those concerned, including interested foreign authorities."

47 USC 359.

SEC. 10. Section 361 of the Communications Act of 1934 is amended to read as follows:

"CERTIFICATES

"SEC. 361. (a) Each vessel of the United States to which the Safety Convention applies shall comply with the radio and communication provisions of said Convention at all times while the vessel is in use, in addition to all other requirements of law, and shall have on board an appropriate certificate as prescribed by the Safety Convention.

16 UST 185.

"(b) Appropriate certificates concerning the radio particulars provided for in said Convention shall be issued upon proper request to any vessel which is subject to the radio provisions of the Safety Convention and is found by the Commission to comply therewith. Cargo ship safety radio telegraphy certificates, cargo ship safety radiotelephony certificates, and exemption certificates with respect to radio particulars shall be issued by the Commission. Other certificates concerning the radio particulars provided for in the said Convention shall be issued by the Commandant of the Coast Guard or whatever

other agency is authorized by law to do so upon request of the Commission made after proper inspection or determination of the facts. If the holder of a certificate violates the radio provisions of the Safety Convention or the provisions of this Act, or the rules, regulations, or conditions prescribed by the Commission, and if the effective administration of the Safety Convention or of this part so requires, the Commission, after hearing in accordance with law, is authorized to modify or cancel a certificate which it has issued, or to request the modification or cancellation of a certificate which has been issued by another agency upon the Commission's request. Upon receipt of such request for modification or cancellation, the Commandant of the Coast Guard, or whatever agency is authorized by law to do so, shall modify or cancel the certificate in accordance therewith."

16 UST 185.

Approved August 13, 1965.

Public Law 89-122

JOINT RESOLUTION

August 13, 1965
[H. J. Res. 481]

To amend the joint resolution of March 25, 1953, to expand the types of equipment furnished Members of the House of Representatives.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (c) of the first section of the joint resolution entitled "Joint resolution to authorize the Clerk of the House of Representatives to furnish certain electrical or mechanical office equipment for the use of Members, officers, and committees of the House of Representatives", approved March 25, 1953, as amended (2 U.S.C. 112a) is amended (A) by striking out "and" at the end of clause (4), (B) by striking out the period at the end of clause (5) and inserting in lieu thereof a semicolon, and (C) by adding after clause (5) the following new clauses:

House of Representatives.
Office equipment.

67 Stat. 7.

"(6) automatic letter opener machines; and

"(7) automatic letter sealer machines."

Approved August 13, 1965.

Public Law 89-123

JOINT RESOLUTION

August 13, 1965
[H. J. Res. 324]

To provide for the reappointment of Robert V. Fleming as Citizen Regent of the Board of Regents of the Smithsonian Institution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Robert V. Fleming, of Washington, District of Columbia, on July 23, 1965, be filled by the reappointment of the present incumbent for the statutory term of six years.

Smithsonian Institution.

Approved August 13, 1965.

Public Law 89-124

August 13, 1965
[S. J. Res. 56]

JOINT RESOLUTION

Authorizing the President to proclaim the occasion of the bicentennial celebration of the birth of James Smithson.

Whereas James Smithson, of London, England, by his last will and testament gave the whole of his property to the United States of America, to found at Washington, under the name of the "Smithsonian Institution", an establishment for the increase and diffusion of knowledge among men; and

Whereas the United States by Acts of Congress received that property and accepted such trust; and

20 USC 41 *et seq.*

Whereas the United States, for the faithful execution of such trust, by an Act of Congress approved August 10, 1846, formed an establishment, consisting of the President, the Vice President, the Chief Justice, and the heads of executive departments, by the name of the Smithsonian Institution for the increase and diffusion of knowledge among men; and

Whereas the Smithsonian Institution, in carrying out the provisions of the mandate placed upon it, has striven to serve as the cutting edge of original research in advancing the frontiers of knowledge beyond the limits of the practical, the profitable, and the obvious; and

Whereas James Smithson, in setting forth the ideal of the "increase and diffusion of knowledge among men", ignored considerations of nationality, private interest, and narrow scholarly specialization; and

Whereas any institution dedicated to an ideal must constantly remember and rededicate itself to that ideal; and

Whereas the Board of Regents and the Secretary of the Smithsonian Institution to celebrate the bicentennial of the birth of James Smithson have invited prominent scholars, scientists, and representatives of universities, museums, and learned societies of the world to Washington, District of Columbia, on September 17 and 18, 1965, for a program consisting of addresses, papers, and discussions concerning the broad problems of man and his relationship to his environment: Now, therefore, be it

James Smithson. Bicentennial celebration.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, as the presiding officer of the Smithsonian Institution, is hereby authorized and requested to issue a proclamation to announce the occasion of the celebration of the bicentennial of the birth of James Smithson and to designate and set aside September 17 and 18, 1965, as special days to honor the memory of James Smithson and the accomplishments of the Institution which bears his name.

Approved August 13, 1965.

Public Law 89-125

August 13, 1965
[H. R. 4714]

AN ACT

To amend the National Arts and Cultural Development Act of 1964 with respect to the authorization of appropriations therein.

78 Stat. 907.
20 USC 789.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the National Arts and Cultural Development Act of 1964 is amended by inserting "per annum" after "$150,000".

Approved August 13, 1965.

Public Law 89-126

AN ACT

August 14, 1965
[S. 1742]

To authorize the United States Governor to agree to amendments to the articles of agreements of the International Bank for Reconstruction and Development and the International Finance Corporation, 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 Bretton Woods Agreements Act, as amended (22 U.S.C. 286-286k-1), is amended by:

Bretton Woods Agreements Act, amendments.
59 Stat. 512.

(1) Deleting paragraphs (5) and (6) of subsection (b) of section 4 (22 U.S.C. 286b) and substituting therefor the following:

"(5) The Council shall transmit to the President and to the Congress an annual report with respect to the participation of the United States in the Fund and Bank.

Report to President and Congress.

"(6) Each such report shall contain such data concerning the operations and policies of the Fund and Bank, such recommendations concerning the Fund and Bank, and such other data and material as the Council may deem appropriate."

Data.

(2) Substituting a comma for the period at the end of section 5 (22 U.S.C. 286c) and adding the following: "if such increase involves an increased subscription on the part of the United States."

(3) Adding at the end thereof the following new section:

"SEC. 21. The United States Governor of the Bank is authorized to agree to an amendment to the articles of agreement of the Bank to permit the Bank to make, participate in, or guarantee loans to the International Finance Corporation for use in the lending operations of the latter."

Ante, p. 119.

SEC. 2. The International Finance Corporation Act, as amended (22 U.S.C. 282-282g), is amended by adding at the end thereof the following new section:

69 Stat. 669.

"SEC. 10. The United States Governor of the Corporation is authorized to agree to the amendments of the articles of agreement of the Corporation to remove the prohibition therein contained against the Corporation lending to or borrowing from the International Bank for Reconstruction and Development, and to place limitations on such borrowings."

Approved August 14, 1965.

Public Law 89-127

AN ACT

August 14, 1965
[H. R. 4346]

To amend section 502 of the Merchant Marine Act, 1936, relating to construction differential subsidies.

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, 1965," and inserting in lieu thereof "June 30, 1966."

Vessels. Construction subsidy, extension.
76 Stat. 1200; 78 Stat. 313.

Approved August 14, 1965.

Public Law 89-128

August 16, 1965
[H. R. 7997]

AN ACT

Making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes.

Independent Offices Appropriation Act, 1966.

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, and offices, for the fiscal year ending June 30, 1966, and for other purposes, namely:

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 the Office; $4,955,000: *Provided*, That not to exceed $150,000 of the foregoing amount shall remain available until expended for studies and research to develop measures and plans for emergency preparedness.

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, $1,280,000: *Provided*, That not to exceed $325,000 of the foregoing amount shall remain available until expended for telecommunications studies and research.

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, $4,365,000.

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), $1,070,000. 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, $55,000,000, 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.

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, $64,080,000, of which not to exceed $12,625,000 shall be available for allocation under section 205 of the Federal Civil Defense Act of 1950, as amended, and not to exceed $11,650,000 shall be available for management expenses for civil defense including not to exceed 800 positions. 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; continuing shelter surveys, marking, stocking, and equipping surveyed spaces; and constructing and equipping Federal regional operating centers; $42,700,000, to remain available until expended: *Provided*, That not to exceed $7,800,000 of this appropriation may be transferred to appropriations of the Department of Defense available for military construction for construction of Federal regional operating centers.

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 fiscal year 1966.

49-850 O-66—36

Appropriations contained in this Act for the Department of Defense to carry out civil defense activities shall not be available for expenses of travel in excess of $595,000 or for printing and reproduction costs in excess of $2,450,000.

INDEPENDENT OFFICES

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; not to exceed $1,000 for official reception and representation expenses; 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; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 2131); $10,797,750.

60 Stat. 810.

68 Stat. 1114.

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, including not to exceed $785,000 for payment to Los Angeles Airways, Inc., and $385,000 for payment to Chicago Helicopter Airways, Inc., for subsidies for helicopter operations not beyond December 31, 1965, $81,170,000, 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 $95,000 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; $22,300,000: *Provided*, That no part of this appropriation shall be available for the Career Executive Board established by Executive Order 10758 of March 4, 1958, as amended.

5 USC 118i, 118k-118n.
41 USC 5.

3 CFR 1954-1958 Comp., p. 407.

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.

5 USC 631 note.

3 CFR 1943-1948 Comp., p. 256.

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,

3 CFR 1949-1953 Comp., p. 921.
22 USC 287 note.

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.

60 Stat. 810.

63 Stat. 166; 75 Stat. 339, 340. 5 USC 835 note.

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), $1,550,000.

58 Stat. 257; 70 Stat. 607. 64 Stat. 465; 72 Stat. 49.

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), $29,220,000, to remain available until expended: *Provided*, That, without regard to the provisions of any other Act, not to exceed a total of $1,500,000 shall be available from the "Employees health benefits fund" and the "Retired employees health benefits fund" (to be charged to each fund in such amount as may be determined by the Civil Service Commission), for reimbursement to the Civil Service Commission, for administrative expenses incurred by the Commission during the current fiscal year in the administration of such health benefits acts, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

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), $67,000,000, to be credited to the civil service retirement and disability fund.

5 USC 2251, 2259 and notes, 2260, 2268.

LIMITATION ON ADMINISTRATIVE EXPENSES, EMPLOYEES LIFE INSURANCE FUND

Not to exceed $279,000 of the funds in the "Employees life insurance fund" shall be available for reimbursement to the Civil Service Commission for administrative expenses incurred by the Commission during the current fiscal year in the administration of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091-2103), including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a): *Provided*, That this limitation shall include expenses incurred under section 10 of the Act, notwithstanding the provisions of section 1 of Public Law 85-377 (5 U.S.C. 2094(c)).

68 Stat. 736.

69 Stat. 678.

72 Stat. 87.

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; purchase of four passenger motor vehicles for replacement only; and purchase and repair of skis and snowshoes; $547,039,000: *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 $6,760,000 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 (at a total cost of construction of not to exceed $50,000 per housing unit in Alaska); $49,800,000, 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 or easements 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, $37,500,000, 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; $3,677,500.

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, of which four are for police type use, and may exceed by $300 the general

purchase price limitation for the current fiscal year; purchase, cleaning and repair of uniforms; and arms and ammunition; $4,528,000.

CONSTRUCTION, WASHINGTON NATIONAL AIRPORT

For necessary expenses for construction at Washington National Airport, $1,050,000, to remain available until expended.

CONSTRUCTION, DULLES INTERNATIONAL AIRPORT

For necessary expenses for construction at Dulles International Airport, $200,000, to remain available until expended.

GRANTS-IN-AID FOR AIRPORTS

For grants-in-aid for airports pursuant to the provisions of the Federal Airport Act, as amended for the fiscal year 1967, $71,000,000, to remain available until expended.

60 Stat. 170.
49 USC 1101 note.

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.

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 land and structures (not to exceed $57,400), special counsel fees, improvement and care of grounds and repairs to buildings (not to exceed $12,500), 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, not to exceed $500 for official reception and representation expenses, and purchase of not to exceed one passenger motor vehicle for replacement only, $16,992,500.

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, not to exceed $340,000 for expenses of travel, not to exceed $129,000 for expenses of printing and reproduction, and not to exceed $1,000 for official reception and representation expenses, $13,230,000, of which $260,000 is for the purchase of a computer.

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, $13,550,000: *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.
60 Stat. 810.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including rental or lease of office space in foreign countries without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), $46,900,000.

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; $226,750,000: *Provided*, That this appropriation shall be available to provide such fencing, lighting, guard booths, and other removable 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 function of protecting the person of the President of the United States and his immediate family, and the Vice President pursuant to Title 18, U.S.C. 3056.

76 Stat. 956.

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; $87,500,000, to remain available until expended: *Provided*, That for the purposes of this appropriation, buildings constructed pursuant to 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

76 Stat. 92.
40 USC 601 note.
68 Stat. 518-521.
74 Stat. 590, 728.

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, $132,303,000, 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:

76 Stat. 92.
40 USC 601 note.

Courthouse and Federal office building, Tuscaloosa, Alabama, $1,593,000;

Post office and Federal office building, Magnolia, Arkansas, $300,000;

Federal office building, Sacramento, California, $5,588,000;

Courthouse and Federal office building, Bridgeport, Connecticut, $3,190,000;

Federal office building, St. Petersburg, Florida, $3,990,000;

Post office and Federal office building, Umatilla, Florida, $143,000:

Post office and courthouse, Americus, Georgia, $1,147,000;

Post office and Federal office building, Athens, Georgia, $2,116,000;

Post office and courthouse, Valdosta, Georgia, $1,971,000;

Post office and courthouse, Moscow, Idaho, $1,201,000;

Post office and Federal office building, St. Maries, Idaho, $823,000:

Federal office building, Chicago, Illinois, $44,500,000, including a pedestrian tunnel along the Dearborn, Adams, and Clark Street sides:

Post office and courthouse (construction and alteration), Hammond, Indiana, $644,000;

Post office and courthouse (construction and alteration), Cedar Rapids, Iowa, $547,000;

Federal office building, Louisville, Kentucky, $10,584,000;

Post office and Federal office building, Rockland, Maine, $379,000;

Post office and Federal office building (construction and alteration), Portland, Maine, $1,311,000;

Post office and Federal office building (construction and alteration), Cambridge, Massachusetts, $749,000;

Post office and Federal office building, Grand Haven, Michigan, $339,000;

Post office and Federal office building, Greenwood, Mississippi, $991,000;

Federal office building, Kansas City, Missouri, $3,900,000;

Courthouse and Federal office building (construction and alteration), Butte, Montana, $611,000;

Post office and Federal office building, Newmarket, New Hampshire, $213,000;

Courthouse and Federal office building, Rochester, New York, $7,628,000;

Post office, courthouse and Federal office building, Raleigh, North Carolina, $5,975,000;

Post office and Federal office building, Trenton, North Carolina, $128,000;

Courthouse and Federal office building, Harrisburg, Pennsylvania, $6,397,000;

Courthouse and Federal office building, Dallas, Texas, $21,024,000;

Post office building, Lubbock, Texas, $1,555,000;

Post office, courthouse and Federal office building (construction and alteration), Brattleboro, Vermont, $577,000;

Post office, courthouse and Federal office building (construction and alteration), Rutland, Vermont, $614,000;

Post office, customhouse and Federal office building (construction and alteration), St. Albans, Vermont, $785,000;

Bureau of Mines building (construction and alteration), Mt. Hope, West Virginia, $290,000;

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.

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, $18,629,250, 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), $3,380,000.

68 Stat. 518-521.

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, $1,660,000.

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, $55,480,000.

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, $9,600,000, 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, $15,932,000, including $50,000 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, 1966. 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), $5,709,000. 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 $1,206,000 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 $3,118,000 for operating expenses, $17,400,000, 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 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, after compliance with the disposal requirements of section 3(e) of the Strategic and Critical Materials Stock Piling Act, excess materials in the national stockpile established pursuant to that Act, shall be available, without reimbursement, for transfer at fair market value to contractors as payment for expenses (including transportation and

60 Stat. 596.
73 Stat. 607.
62 Stat. 1225.
60 Stat. 598.
64 Stat. 798.
50 USC app. 2061.
60 Stat. 597.
50 USC 98b.

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. 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, $1,650,000: *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.

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 $15,647,000: *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.

61 Stat. 584.

62 Stat. 1225.

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.

73 Stat. 479; 76 Stat. 92. 40 USC 601 note.

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.

63 Stat. 377. 40 USC 471 note.

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.

76 Stat. 92. 40 USC 601 note.

40 USC 490 note. 3 CFR 1959-1963 Comp., p. 618.

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.

HOUSING AND HOME FINANCE AGENCY

OFFICE OF THE ADMINISTRATOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Administrator, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and purchase of two passenger motor vehicles for replacement only; $3,668,700: *Provided*, That during the current fiscal year nonadministrative expenses, as defined by law (77 Stat. 437), shall not exceed $4,375,000.

60 Stat. 810.

12 USC 1749d.

URBAN PLANNING GRANTS

For grants in accordance with the provisions of section 701 of the Housing Act of 1954, as amended, $18,675,000.

73 Stat. 678.
40 USC 461.

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, $750,000.

62 Stat. 1268;
70 Stat. 1091.
12 USC 1747
note, 1703 note.

OPEN SPACE LAND GRANTS

For expenses in connection with grants to aid in the acquisition of open-space land or interests therein, and with the provision of technical assistance to State and local public bodies (including the undertaking of studies and publication of information), $22,500,000: *Provided*, That not to exceed $350,000 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.

LOW INCOME HOUSING DEMONSTRATION PROGRAMS

For low-income housing demonstration programs pursuant to section 207 of the Housing Act of 1961, as amended, $1,275,000: *Provided*, That not to exceed $47,300 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.
42 USC 1436.

PUBLIC WORKS PLANNING FUND

For the revolving fund established pursuant to section 702 of the Housing Act of 1954, as amended (40 U.S.C. 462), $10,000,000.

69 Stat. 641.

URBAN RENEWAL ADMINISTRATION

For expenses in connection with grants for urban renewal programs as authorized by title I of the Housing Act of 1949, as amended, $438,675,000, including $331,000,000 as an additional amount for payment of grants to liquidate contract authorization incurred prior to July 1, 1965, and not to exceed $13,175,000 for administrative expenses of making such grants and of making grants authorized by sections 314 and 701 of the Housing Act of 1954, as amended: *Provided*, That no part of this appropriation shall be used for administrative expenses or technical services in connection with contracts for grants or any other obligations in excess of the amounts herein provided.

63 Stat. 414.
42 USC 1450-1465.

68 Stat. 629;
78 Stat. 792.
42 USC 1452a.
40 USC 461.

REHABILITATION LOAN FUND

For the revolving fund established pursuant to section 312 of the Housing Act of 1964 (42 U.S.C. 1452b), $41,362,500: *Provided*, That not to exceed $1,362,500 of this appropriation shall be available for administrative expenses during the current fiscal year.

78 Stat. 790.

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.), to remain available until expended, $130,000,000 for the fiscal year 1966, and $130,000,000 for the fiscal year 1967. 78 Stat. 302.

URBAN MASS TRANSPORTATION LOANS

For loans as authorized by section 3 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), $5,000,000.

ADMINISTRATIVE EXPENSES, URBAN TRANSPORTATION ACTIVITIES

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.), $455,000.

PUBLIC HOUSING ADMINISTRATION

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), $220,000,000.

ADMINISTRATIVE EXPENSES

For administrative expenses of the Public Housing Administration, $16,500,000, to be expended under the authorization for such expenses contained in title II of this Act.

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; $26,915,000, of which not less than $1,947,650 shall be available for expenses necessary to carry out railroad safety activities and not less than $1,310,000 shall be available for expenses necessary to carry out locomotive inspection activities and of which $35,000 shall be available for establishment of a motor carrier office in Wyoming: *Provided*, That Joint Board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their duties as such. 60 Stat. 810.

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, $4,531,000,000, 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, $60,000,000, 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 passenger motor vehicles, of which twenty-four shall be for replacement only); and maintenance, repair, and alteration of real and personal property; $584,000,000: *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.

68 Stat. 1114.

GENERAL PROVISIONS

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.

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.

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.

Any appropriation in this Act to the National Aeronautics and Space Administration may initially be used during the fiscal year 1966 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

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.

48 Stat. 930. D.C. Code 5-103 to 5-111.

64 Stat. 81.

NATIONAL SCIENCE FOUNDATION

SALARIES AND EXPENSES

For expenses necessary to carry out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), 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 no part of the foregoing appropriation may be transferred to any other agency of the government for research without the approval of the Bureau of the Budget.

64 Stat. 149.
60 Stat. 810.
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), $2,500,000.

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, $16,442,000.

68 Stat. 1114.

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 nineteen passenger motor vehicles for replacement only; not to exceed $62,000 for the National Selective Service Appeal Board; and $38,000 for the National Advisory Committee on the Selection of Physicians, Dentists, and Allied Specialists; $49,250,000: *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 expenses incidental to securing employment for; 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; and reimbursement of the General Services Administration for security guard services; $160,238,000: *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, $13,496,000: *Provided*, That no part of this appropriation may be used for expenses of any area medical office.

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, $40,893,000, of which $1,275,000 shall be for prosthetic research and development activities.

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 articles and facilities; maintenance, operation and acquisition 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; purchase of eight passenger motor vehicles for replacement only; uniforms or allowances therefor as authorized by law (5 U.S.C. 2131); and aid to State homes as authorized by section 641 of title 38, United States Code; $1,191,956,000, plus reimbursements: *Provided*, That allotments and transfers may be made from this appropriation to the Department of Health, Education, and Welfare (Public Health Service), the Army, Navy, and Air Force Departments, 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.
78 Stat. 500.

COMPENSATION AND PENSIONS

For the payment of compensation, pensions, gratuities, and allowances (including burial awards authorized by section 902 of title 38, United States Code, burial flags, and subsistence allowances for vocational rehabilitation), authorized under any Act of Congress, or regulation of the President based thereon, including emergency officers' retirement pay and annuities, the administration of which is now or

72 Stat. 1169;
78 Stat. 296.

may hereafter be placed in the Veterans Administration, and for the payment of adjusted-service credits and certificates as provided in sections 401, 507, and 601 of the Act of May 19, 1924, as amended, 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, $4,142,000,000, to remain available until expended: *Provided*, That the unexpended balance in the Adjusted Service Certificate Fund, as of June 30, 1965, shall be transferred to this appropriation.

43 Stat. 125; 72 Stat. 1271.

62 Stat. 984.

72 Stat. 1124; 76 Stat. 950.

READJUSTMENT BENEFITS

For the payment of benefits to or on behalf of veterans as authorized by part VIII, Veterans Regulation No. 1(a), as saved from repeal by section 12(a) of the Act of September 2, 1958 (72 Stat. 1264), and chapters 21, 33, 35, 37, and 39 of title 38, United States Code, and for supplies, equipment, and tuition authorized by chapter 31 of title 38, United States Code, $36,500,000, to remain available until expended.

38 USC note prec. pt. 1.

72 Stat. 1167 *et seq.*

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, $16,900,000, of which $7,000,000 shall be derived from the retained earnings of 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, $90,511,600, to remain available until expended: *Provided*, That the limitation under the head "Construction of hospital and domiciliary facilities" in the Independent Offices Appropriation Act, 1962, on the amount available for technical services for replacement of the general medical and surgical hospital at Nashville, Tennessee, is reduced from "$921,600" to "$846,600."

72 Stat. 1251.

75 Stat. 358.

GRANTS FOR CONSTRUCTION OF STATE NURSING HOME

For grants to assist the several States to construct State home facilities for furnishing nursing home care to war veterans as authorized by sections 5031-5037 of Title 38, United States Code, $2,500,000, to remain available until June 30, 1968.

78 Stat. 501.

GRANTS TO THE REPUBLIC OF THE PHILIPPINES

For payment to the Republic of the Philippines of grants in accordance with sections 631 to 634 of title 38, United States Code, for expenses incident to medical care and treatment of veterans, $386,000.

72 Stat. 1145.

LOAN GUARANTY REVOLVING FUND

During the current fiscal year, the Loan guaranty revolving fund shall be available for expenses, but not to exceed $380,000,000, 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: *Pro-*

72 Stat. 1203; 74 Stat. 532.

vided, That not to exceed $210,000,000 of the unobligated balances including retained earnings of the Direct loans 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.

SOLDIERS' AND SAILORS' CIVIL RELIEF

For payment of claims as authorized by article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (50 U.S.C. App. 540-548), $25,000, to remain available until expended.

56 Stat. 773.

DIRECT LOAN REVOLVING FUND

The amount authorized by section 1823(a) of title 38, United States Code, to be advanced after June 30, 1965, 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.

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; 78 Stat. 296.

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 hospitalization 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.

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 estimate 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 $3,885,000 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 secu-

60 Stat. 810.
68 Stat. 1114.
12 USC 1426, 1464, 1730, 1730a.

rities 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 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 $13,155,000 for not to exceed 1,000 positions.

47 Stat. 725.
12 USC 1421.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Not to exceed $233,000 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.
12 USC 1724-
1730b.

HOUSING AND HOME FINANCE AGENCY

LIMITATION ON ADMINISTRATIVE EXPENSES, OFFICE OF THE ADMINISTRATOR, COLLEGE HOUSING LOANS

Not to exceed $1,975,000 shall be available for all administrative expenses of carrying out the functions of the Administrator under the program of housing loans to educational institutions (title IV of the Housing Act of 1950, as amended, 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

64 Stat. 77.
12 USC 1749-
1749c.

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 EXPENSES, OFFICE OF THE ADMINISTRATOR, PUBLIC FACILITY LOANS

Not to exceed $1,270,000 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, OFFICE OF THE ADMINISTRATOR, 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).

LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES, OFFICE OF THE ADMINISTRATOR, HOUSING FOR THE ELDERLY OR HANDICAPPED

Not to exceed $950,000 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 nonadministrative 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.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL NATIONAL MORTGAGE ASSOCIATION

Not to exceed $8,800,000 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 $10,330,300 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), including 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 $80,275,000.

48 Stat. 1246.
68 Stat. 1114.
63 Stat. 905.
12 USC 1702.

LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES, PUBLIC HOUSING ADMINISTRATION

Not to exceed the amount appropriated for such expenses by title I of this Act shall be available for the administrative expenses of the Public Housing Administration in 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 of the Administration at the sites of non-Federal projects in connection with the construction of such non-Federal projects by public housing agencies with the aid of the Administration, shall be compensated by such agencies by the payment of fixed fees which in the aggregate in relation to the development costs of such projects will cover the costs of rendering such services, and expenditures by the Administration 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 representatives of the Administration at the sites of non-Federal projects: *Provided further*, That all expenses of the Public Housing Administration not specifically limited in this Act, in carrying out its duties imposed by law, shall not exceed $1,200,000.

50 Stat. 888.
42 USC 1401-1430.

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 per-

sonnel 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 projects.

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.

Short title.

This Act may be cited as the "Independent Offices Appropriation Act, 1966".

Approved August 16, 1965.

Public Law 89-129

JOINT RESOLUTION

August 17, 1965 [H. J. Res. 454]

To provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes.

Post, p. 1490.

Whereas the President of the United States has by proclamation added Ellis Island to the Statue of Liberty National Monument, and

Whereas the Presidential proclamation prohibits the use of funds appropriated to the Department of the Interior for the development of Ellis Island unless otherwise authorized by Act of Congress: Now, therefore, be it

Ellis Island. Development appropriation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated such funds, but not more than $6,000,000, as may be required to develop Ellis Island as a part of the Statue of Liberty National Monument, but not more than $3,000,000 shall be appropriated during the first five years following enactment of this Act.

Approved August 17, 1965.

Public Law 89-130

AN ACT

August 19, 1965 [S. 893]

To amend the Act of June 19, 1935 (49 Stat. 388), as amended, relating to the Tlingit and Haida Indians of Alaska.

Indians. Tlingit and Haida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 19, 1935 (49 Stat. 388), is amended by deleting sections 1, 7, and 8 thereof and substituting new sections 1, 7, and 8, to read as follows: "For the purposes of this Act the Tlingit and Haida Indians of Alaska shall be defined to be all those Indians of Tlingit or Haida blood who reside in the various local communities or areas in the United States or Canada.

Central Council, organization.

"SEC. 7. Upon submission to the Secretary of the Interior by the existing organization known as the Central Council of the Tlingit and Haida Indians of Alaska or by a committee duly appointed by such central council, of rules prescribing the method of election of delegates to the central council which the Secretary finds to be equitable and to be designed to assure, to the extent feasible, fair representation on the central council to persons of Tlingit or Haida blood who reside in the various local communities or areas in the United States or Can-

ada, the Secretary, in his discretion, is authorized to approve such rules. The Central Council of Tlingit and Haida Indians, composed of delegates elected in accordance with such approved rules and their duly elected successors in office, shall be the official Central Council of Tlingit and Haida Indians for purposes of this Act. Any amendments to such rules shall be subject to the approval of the Secretary.

Judgment funds.

"SEC. 8. The amount of the appropriation made to pay any judgment in favor of said Tlingit and Haida Indians of Alaska shall be deposited in the Treasury of the United States to the credit of the Tlingit and Haida Indians of Alaska, and such funds shall bear interest at the rate of 4 per centum per annum. Such funds including the interest thereon shall not be available for advances, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, organizational, operating and administrative expenses of the official Central Council, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds shall be used. The Council is authorized to prepare plans for the use of said funds, and to exercise such further powers with respect to the advance, expenditure, and distribution of said funds as may be authorized by Congress. In order to facilitate the prompt use and distribution of said funds, the Secretary of the Interior, pursuant to such rules and regulations as he may prescribe, is authorized and directed to prepare a roll of all persons of Tlingit or Haida blood who reside in the various local communities or areas of the United States or Canada on the date of this Act. The costs of preparing such roll incurred subsequent to the appropriation to pay any judgment shall be deducted from such judgment funds. Any part of such funds that may be distributed per capita to persons of Tlingit or Haida blood shall not be subject to Federal or State income taxes."

Definition.

SEC. 2. As used in the Act of June 19, 1935, as amended by this Act, the terms "Indians of Tlingit or Haida blood who reside in the various local communities or areas in the United States or Canada" and "persons of Tlingit or Haida blood who reside in the various local communities or areas in the United States or Canada" mean only persons of Tlingit or Haida blood residing in a local community or area in the United States or Canada who were legal residents of the Territory of Alaska on June 19, 1935, or prior thereto, or who are descendants of persons of Tlingit or Haida blood who were legal residents of the Territory of Alaska on June 19, 1935, or prior thereto.

Approved August 19, 1965.

Public Law 89-131

August 21, 1965
[H. R. 10139]

AN ACT

To amend the Act of June 23, 1949, relating to the telephone and telegraph service furnished Members of the House of Representatives.

House of Representatives.
Telephone and telegraph allowance.

73 Stat. 605.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (1) of subsection (b) of section 2 of the Act entitled "An Act relating to telephone and telegraph service and clerk hire for Members of the House of Representatives", approved June 23, 1949, as amended (2 U.S.C. 46g), is amended by striking out "five" and inserting in lieu thereof "four".

Effective date.

SEC. 2. The amendment made by the first section of this Act shall take effect as of noon, January 3, 1965.

Approved August 21, 1965.

Public Law 89-132

AN ACT

August 21, 1965
[H. R. 9075]

To increase the basic pay for members of the uniformed services, and for other purposes.

Uniformed services.
Salary increase.
78 Stat. 395.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That 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	Over 8	Over 10	Over 12
O-10 [1]	$1,380.00	$1,428.90	$1,428.90	$1,428.90	$1,428.90	$1,483.20	$1,483.20	$1,597.20
O-9	1,223.10	1,254.90	1,282.20	1,282.20	1,282.20	1,314.60	1,314.60	1,368.90
O-8	1,107.90	1,140.90	1,167.90	1,167.90	1,167.90	1,254.90	1,254.90	1,314.60
O-7	920.40	983.40	983.40	983.40	1,026.90	1,026.90	1,086.60	1,086.60
O-6	681.90	749.70	798.60	798.60	798.60	798.60	798.60	798.60
O-5	545.40	641.10	684.60	684.60	684.60	684.60	706.20	744.00
O-4	460.20	559.80	597.60	597.60	608.40	635.70	678.90	717.00
O-3 [2]	427.80	477.90	510.60	565.20	592.20	613.80	646.50	678.90
O-2 [2]	342.60	407.40	489.00	505.20	516.00	516.00	516.00	516.00
O-1 [2]	294.60	325.80	407.40	407.40	407.40	407.40	407.40	407.40

"Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-10 [1]	$1,597.20	$1,711.20	$1,711.20	$1,825.20	$1,825.20	$1,939.50	$1,939.50
O-9	1,368.90	1,483.20	1,483.20	1,597.20	1,597.20	1,711.20	1,711.20
O-8	1,314.60	1,368.90	1,428.90	1,483.20	1,542.90	1,542.90	1,542.90
O-7	1,140.90	1,254.90	1,341.90	1,341.90	1,341.90	1,341.90	1,341.90
O-6	825.90	956.10	1,005.00	1,026.90	1,086.60	1,178.70	1,178.70
O-5	793.20	852.90	901.80	928.80	961.50	961.50	961.50
O-4	749.70	782.40	804.00	804.00	804.00	804.00	804.00
O-3 [2]	695.40	695.40	695.40	695.40	695.40	695.40	695.40
O-2 [2]	516.00	516.00	516.00	516.00	516.00	516.00	516.00
O-1 [2]	407.40	407.40	407.40	407.40	407.40	407.40	407.40

[1] 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 $2,140.20 regardless of cumulative years of service computed under section 205 of this title.

[2] 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	$565.20	$592.20	$613.80	$646.50	$678.90	$706.20
O-2	505.20	516.00	532.20	559.80	581.40	597.60
O-1	407.40	434.70	450.90	467.10	483.30	505.20

"Pay grade	Years of service computed under section 205					
	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-3	$706.20	$706.20	$706.20	$706.20	$706.20	$706.20
O-2	597.60	597.60	597.60	597.60	597.60	597.60
O-1	505.20	505.20	505.20	505.20	505.20	505.20

"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	$435.60	$467.10	$467.10	$477.90	$499.80	$521.40	$543.00	$581.40
W-3	396.00	429.30	429.30	434.70	440.10	472.50	499.80	516.00
W-2	346.50	375.00	375.00	385.80	407.40	429.30	445.50	461.70
W-1	288.90	331.50	331.50	358.80	375.00	391.20	407.40	423.90

"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	$608.40	$630.30	$646.50	$668.10	$690.00	$744.00	$744.00
W-3	532.20	548.40	565.20	586.80	608.40	630.30	630.30
W-2	477.90	494.40	510.60	526.80	548.40	548.40	548.40
W-1	440.10	456.30	472.50	489.00	489.00	489.00	489.00

"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							$494.70	$506.10
E-8						$415.20	426.60	438.00
E-7	$261.00	$312.90	$324.30	$335.70	$347.10	358.20	369.60	381.30
E-6	225.00	273.00	284.40	295.80	307.50	318.60	330.00	347.10
E-5	194.10	239.10	250.50	261.60	278.70	290.10	301.50	312.90
E-4	163.50	204.90	216.00	233.10	244.80	244.80	244.80	244.80
E-3	117.90	164.70	176.40	187.80	187.80	187.80	187.80	187.80
E-2	97.50	136.50	136.50	136.50	136.50	136.50	136.50	136.50
E-1	93.90	125.10	125.10	125.10	125.10	125.10	125.10	125.10
E-1 (under 4 months)	87.90							

"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	$517.80	$529.20	$540.60	$551.70	$580.50	$636.90	$636.90
E-8	449.40	460.80	472.20	483.60	512.10	568.80	568.80
E-7	398.40	409.50	420.90	426.60	455.10	512.10	512.10
E-6	358.20	369.60	375.60	375.60	375.60	375.60	375.60
E-5	318.60	318.60	318.60	318.60	318.60	318.60	318.60
E-4	244.80	244.80	244.80	244.80	244.80	244.80	244.80
E-3	187.80	187.80	187.80	187.80	187.80	187.80	187.80
E-2	136.50	136.50	136.50	136.50	136.50	136.50	136.50
E-1	125.10	125.10	125.10	125.10	125.10	125.10	125.10."

Pay and allowances, annual review.
76 Stat. 489.

SEC. 2. (a) Chapter 19, title 37, United States Code, is amended by adding the following new section at the end thereof:

"§ 1008. Presidential recommendations concerning adjustments and changes in pay and allowances

Report to Congress.

"(a) The President shall direct an annual review of the adequacy of the pays and allowances authorized by this title for members of the uniformed services. Upon completion of this review, but not later than March 31 of each year, the President shall submit to Congress a detailed report summarizing the results of such annual review together with any recommendations for adjustments in the rates of pay and allowances authorized by this title.

Report to Congress.

"(b) Whenever the President considers it appropriate, but in no event later than January 1, 1967, and not less than once each four years thereafter, he shall direct a complete review of the principles and concepts of the compensation system for members of the uniformed services. Upon completion of such review he shall submit a detailed report to Congress summarizing the results of such review

together with any recommendations he may have proposing changes in the statutory salary system and other elements of the compensation structure provided members of the uniformed services."

(b) The chapter analysis of chapter 19, title 37, United States Code, is amended by adding the following new item:

"1008. Presidential recommendations concerning adjustments and changes in pay and allowances."

Critical military skills, additional bonus.
76 Stat. 467.

SEC. 3. Section 308 of title 37, United States Code, is amended by adding the following:

"(g) Under regulations to be prescribed by the Secretary of Defense, or the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, a member who is designated as having a critical military skill and who is entitled to a bonus computed under subsection (a) of this section upon his first reenlistment may be paid an additional amount not more than four times the amount of that bonus. The additional amount shall be paid in equal yearly installments in each year of the reenlistment period. However, in meritorious cases the additional amount may be paid in fewer installments if the Secretary concerned determines it to be in the best interest of the members. An amount paid under this subsection does not count against the limitation prescribed by subsection (c) of this section on the total amount that may be paid under this section."

Hostile fire pay.
77 Stat. 216.

SEC. 4. Section 310(a) of title 37, United States Code, is amended by striking out "$55" and inserting in place thereof "$65".

Retired pay, increase.

SEC. 5. (a) The retired pay or retainer pay of a member or former member of a uniformed service who is entitled to that pay computed under rates of basic pay in effect before the effective date of this Act shall be increased, effective that date, by the per centum (adjusted to the nearest one-tenth of 1 per centum) that the Consumer Price Index (all items—United States city average), published by the Bureau of Labor Statistics, for the calendar month immediately preceding the effective date of this Act has increased over the average monthly index for calendar year 1962.

Consumer Price Index, increases.
77 Stat. 213.

(b) Section 1401a(b) of title 10, United States Code, is amended to read as follows:

"(b) The Secretary of Defense shall determine the per centum that the Consumer Price Index for each calendar month after the calendar month immediately preceding the effective date of this Act has increased over the base Consumer Price Index (that for the calendar month immediately preceding the effective date of this Act or, if later, that used as the basis for the most recent adjustment of retired pay and retainer pay under this subsection). If the Secretary determines that, for three consecutive calendar months, the index has shown an increase of at least 3 per centum over the base index, the retired pay and retainer pay of members or former members of the Armed Forces who became entitled to that pay before the first day of the third calendar month beginning after the expiration of those three months shall be increased, effective that day, by the highest per centum of increase in the index during those three months, adjusted to the nearest one-tenth of 1 per centum."

70A Stat. 106; 72 Stat. 129.

SEC. 6. Column 1 of formula 1 and column 1 of formula 2 of section 1401 of title 10, United States Code, are each amended by striking out ", increased, for members credited with two or less years of service for basic pay purposes, by 6%".

Continuation provision.

SEC. 7. 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 Act shall continue to receive the pay and allowances to which he was entitled on that day:

(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).

Savings provision.

SEC. 8. The enactment of this Act does not reduce—

(1) the rate of dependency and indemnity compensation under section 411 of title 38, United States Code, that any person was receiving on the day before the effective date of this Act or which thereafter becomes payable for that day by reason of a subsequent determination; or

72 Stat. 1127; 77 Stat. 17, 223.

(2) the basic pay or the retired pay or retainer pay to which a member or former member of a uniformed service was entitled on the day before the effective date of this Act.

Free postage. 70A Stat. 80.

SEC. 9. (a) Chapter 53 of title 10, United States Code (relating to miscellaneous rights and benefits of members of the Armed Forces), is amended by adding at the end thereof the following new section:

"§ 1040. Free postage from combat zones

"Any first-class mail matter admissible to the mails as ordinary mail matter which is sent by any member of the Armed Forces from—

"(1) Vietnam, until such time as the President determines that Vietnam is no longer an area in which members of the Armed Forces are engaged in combat, and

"(2) any other area or areas in which the President determines members of the Armed Forces are engaged in combat,

to any person in the United States (including Puerto Rico or any possession of the United States) shall be transmitted in the mails free of postage, subject to such regulations as the Secretary of Defense may prescribe after consultation with the Postmaster General."

(b) The analysis of such chapter 53 is amended by adding at the end thereof the following:

"1040. Free postage from combat zones."

Effective date.

SEC. 10. This Act becomes effective on the first day of the first calendar month beginning after the date of enactment of this Act.

Approved August 21, 1965.

Public Law 89-133

August 23, 1965 [S. J. Res. 100]

JOINT RESOLUTION

To provide for the designation of the period from August 31 through September 6 in 1965, as "National American Legion Baseball Week".

Whereas a nationwide organization of American Legion junior baseball was first proposed as a program of service to the youth of America at the annual department convention of the American Legion held in Milbank, South Dakota, in 1925; and

Whereas, since the organization of this program, which has been established throughout the United States, there have been more than fifteen million youths of eighteen years of age and under who have participated in the program; and

Whereas the American Legion junior baseball program performs a vital service to our youth by offering them outstanding opportunities to acquire physical fitness, to develop personal responsibility and good citizenship, to learn the value of teamwork and mutual cooperation, as well as to acquire individual proficiency and an opportunity to advance to a professional career in the sport of baseball; and

Whereas the annual American Legion World Series for 1965 will be held at Aberdeen, South Dakota, during the period from August 31 through September 6: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in honor of the fortieth anniversary of the founding of the American Legion baseball program, the President is authorized and requested to issue a proclamation designating the period from August 31 through September 6 in 1965, as "National American Legion Baseball Week", and inviting the Governors of the several States to issue similar proclamations.

National American Legion Baseball Week. Proclamation.

Approved August 23, 1965.

Public Law 89-134

AN ACT

To amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes.

August 24, 1965 [S. 2054]

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 by striking out "1965" and substituting "1966", and by inserting before the period at the end thereof a comma and the following: "of which not to exceed $500,000 shall be available for carrying out research".

Peace Corps Act, amendment. 78 Stat. 166. 22 USC 2502.

SEC. 2. Section 5 of the Peace Corps Act, as amended, which relates to Peace Corps volunteers, is amended as follows:

Volunteers. 77 Stat. 359. 22 USC 2504.

(a) Subsection (c) is amended by adding at the end thereof a new sentence as follows: "For purposes of the Internal Revenue Code of 1954 (26 U.S.C.), a volunteer shall be deemed to be paid and to receive each amount of a readjustment allowance to which he is entitled after December 31, 1964, when such amount is transferred from funds made available under this Act to the fund from which such readjustment allowance is payable."

68A Stat. 3.

(b) In subsection (e):

(1) In the first sentence, strike out "and such health examinations and immunization preparatory to their service," and substitute therefor "applicants for enrollment shall receive such health examinations preparatory to their service, applicants for enrollment who have accepted an invitation to begin a period of training under section 8(a) of this Act shall receive such immunization and dental care preparatory to their service, and former volunteers shall receive such health examinations within six months after termination of their service,".

75 Stat. 616. 22 USC 2507.

(2) In the second sentence, strike out ", examinations, and immunization" and strike out "for volunteers".

(c) In the first proviso of subsection (g), strike out "one" and substitute therefor "two" and strike out "in the aggregate".

77 Stat. 360.

(d) In subsection (h), immediately after "(5 U.S.C. 73b-5)," insert "the Act of December 23, 1944, chapter 716, section 1, as amended (31 U.S.C. 492a),".

67 Stat. 61.

SEC. 3. In section 6(3) of the Peace Corps Act, as amended, which relates to the provision of health care to the spouses and minor children of volunteer leaders, immediately after "accompanying them" insert ", and a married volunteer's child if born during the volunteer's service,".

Dependents, health care. 22 USC 2505.

SEC. 4. Section 7 of the Peace Corps Act, as amended, which relates to Peace Corps employees, is amended as follows:

Employees. 22 USC 2506.

(a) Strike out subsections (a) and (b).

(b) Redesignate subsection (c) as subsection (a) and in the subsection as redesignated:

(1) In the introductory phrase:

(A) Insert "(1)" immediately before "For the purpose of".

(B) Strike out "—" immediately after "may".

(2) In paragraph (1) strike out "(1)".

(3) In paragraph (2):

(A) Amend the first sentence to read as follows: "The President may utilize such authority contained in the Foreign Service Act of 1946, as amended, relating to Foreign Service Reserve officers, Foreign Service staff officers and employees, alien clerks and employees, and other United States Government officers and employees apart from Foreign Service officers as he deems necessary to carry out functions under this Act; except that (A) no Foreign Service Reserve or staff appointment or assignment under this paragraph shall be for a period of more than five years unless the Director of the Peace Corps, under special circumstances, personally approves an extension of not more than one year on an individual basis; and (B) no person whose Foreign Service Reserve or staff appointment or assignment under this paragraph has been terminated shall be reappointed or reassigned under this paragraph before the expiration of a period of time equal to his preceding tour of duty."

60 Stat. 999.
22 USC 801 note.

(B) Strike out in the second sentence thereof "the Foreign Service Act of 1946" and insert in lieu thereof "that Act".

(C) In the first proviso in the second sentence thereof strike out "of" immediately after "the period of the appointment" and insert in lieu thereof "or".

(D) Insert immediately after "may prescribe" in the second proviso thereof ": *Provided further*, That under such regulations as the President may prescribe persons who are to perform duties of a more routine nature than are generally performed by Foreign Service staff officers and employees of class 10 may be appointed to an unenumerated class of Foreign Service staff officers and employees ranking below class 10 and be paid basic compensation at rates lower than those of class 10."

(4) In paragraph (3):

(A) Strike out "specify" and insert in lieu thereof: "The President may specify what additional compensation authorized by section 207 of the Independent Offices Appropriation Act, 1949, as amended (5 U.S.C. 118h), and".

75 Stat. 616.
22 USC 2506.

62 Stat. 1205.

(B) Strike out "(c)" and insert in lieu thereof "(a)".

(C) Strike out "that Act" and insert in lieu thereof "those Acts".

(c) Redesignate subsection (d) as subsection (b) and in that subsection as redesignated:

(1) Immediately after "or assigned" insert "for the purpose of performing functions under this Act outside the United States".

(2) Strike out "subsection (c)(2)" and insert in lieu thereof "subsection (a)(2)".

(d) Redesignate subsection (e) as subsection (c) and in the second sentence of that subsection as redesignated strike out "(c)" and insert in lieu thereof "(a)".

SEC. 5. (a) Section 4 of this Act shall not become effective until the first day of the fourth pay period which begins after the date this Act becomes law.

Effective date.

(b) Under such regulations as the President may prescribe, each person employed under authorities repealed by section 4(a) of this Act immediately prior to the effective date of that section shall effective on that date be appointed a Foreign Service Reserve officer or Foreign Service staff officer or employee under the authority of section 7(a)(2) of the Peace Corps Act, as amended, and appointed or assigned to an appropriate class thereof; except that—

Domestic-based employees. Transfer of positions.

(1) no person who holds a career or career-conditional appointment immediately prior to the effective date of section 4(a) of this Act shall, without his consent, be so appointed until three years after such effective date; and

(2) each person so appointed who, immediately prior to the effective date of section 4(a) of this Act, held a career or career-conditional appointment at grade 8 or below of the General Schedule established by the Classification Act of 1949, as amended, shall receive an appointment for the duration of operations under the Peace Corps Act, as amended.

Post, p. 1111. 5 USC 1113.

Each person appointed under this subsection shall receive basic compensation at the rate of his class determined by the President to be appropriate, but the rate of basic compensation received by such person immediately prior to the effective date of his appointment under this subsection shall not be reduced by the provisions of this subsection.

SEC. 6. In section 10(a)(3) of the Peace Corps Act, as amended, which relates to acceptance, employment, and transfer of gifts, immediately after "and transfer such" insert "money or".

Gifts. 75 Stat. 617; 77 Stat. 360. 22 USC 2509.

SEC. 7. In the second sentence of section 15(c) of the Peace Corps Act, as amended, which relates to training of employees, strike out "Such training shall not be considered employment or holding of office under section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62), and any" and substitute therefor "Any".

22 USC 2514.

78 Stat. 492.

Approved August 24, 1965.

Public Law 89-135

August 24, 1965 [H. R. 8856]

AN ACT

To amend section 271 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 section 271 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

Atomic Energy Act of 1954, amendment. 68 Stat. 960. 42 USC 2018.

"SEC. 271. AGENCY JURISDICTION.—Nothing in this Act shall be construed to affect the authority or regulations of any Federal, State, or local agency with respect to the generation, sale, or transmission of electric power produced through the use of nuclear facilities licensed by the Commission: *Provided*, That this section shall not be deemed to confer upon any Federal, State, or local agency any authority to regulate, control, or restrict any activities of the Commission."

Approved August 24, 1965.

Public Law 89-136

August 26, 1965
[S. 1648]

AN ACT

To provide grants for public works and development facilities, other financial assistance and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions.

Public Works and Economic Development 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 "Public Works and Economic Development Act of 1965".

STATEMENT OF PURPOSE

SEC. 2. The Congress declares that the maintenance of the national economy at a high level is vital to the best interests of the United States, but that some of our regions, counties, and communities are suffering substantial and persistent unemployment and underemployment; that such unemployment and underemployment cause hardship to many individuals and their families, and waste invaluable human resources; that to overcome this problem the Federal Government, in cooperation with the States, should help areas and regions of substantial and persistent unemployment and underemployment to take effective steps in planning and financing their public works and economic development; that Federal financial assistance, including grants for public works and development facilities to communities, industries, enterprises, and individuals in areas needing development should enable such areas to help themselves achieve lasting improvement and enhance the domestic prosperity by the establishment of stable and diversified local economies and improved local conditions, provided that such assistance is preceded by and consistent with sound, long-range economic planning; and that under the provisions of this Act new employment opportunities should be created by developing and expanding new and existing public works and other facilities and resources rather than by merely transferring jobs from one area of the United States to another.

TITLE I—GRANTS FOR PUBLIC WORKS AND DEVELOPMENT FACILITIES

SEC. 101. (a) Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public nonprofit organization or association representing any redevelopment area or part thereof, the Secretary of Commerce (hereinafter referred to as the Secretary) is authorized—

(1) to make direct grants for the acquisition or development of land and improvements for public works, public service, or development facility usage, and the acquisition, construction, rehabilitation, alteration, expansion, or improvement of such facilities, including related machinery and equipment, within a redevelopment area, if he finds that—

(A) the project for which financial assistance is sought will directly or indirectly (i) tend to improve the opportunities, in the area where such project is or will be located, for the successful establishment or expansion of industrial or commercial plants or facilities, (ii) otherwise assist in the creation of additional long-term employment opportunities for such area, or (iii) primarily benefit the long-term unemployed and members of low-income families or otherwise

substantially further the objectives of the Economic Opportunity Act of 1964;

78 Stat. 508.
42 USC 2701 note.

(B) the project for which a grant is requested will fulfill a pressing need of the area, or part thereof, in which it is, or will be, located; and

(C) the area for which a project is to be undertaken has an approved overall economic development program as provided in section 202(b)(10) and such project is consistent with such program;

(2) to make supplementary grants in order to enable the States and other entities within redevelopment areas to take maximum advantage of designated Federal grant-in-aid programs (as hereinafter defined), direct grants-in-aid authorized under this section, and Federal grant-in-aid programs authorized by the Watershed Protection and Flood Prevention Act (68 Stat. 666, as amended), and the eleven watersheds authorized by the Flood Control Act of December 22, 1944, as amended and supplemented (58 Stat. 887), for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share.

16 USC 1001 note.

33 USC 701-1 *et seq.*

(b) Subject to subsection (c) hereof, the amount of any direct grant under this section for any project shall not exceed 50 per centum of the cost of such project.

(c) The amount of any supplementary grant under this section for any project shall not exceed the applicable percentage established by regulations promulgated by the Secretary, but in no event shall the non-Federal share of the aggregate cost of any such project (including assumptions of debt) be less than 20 per centum of such cost. Supplementary grants shall be made by the Secretary, in accordance with such regulations as he shall prescribe, by increasing the amounts of direct grants authorized under this section or by the payment of funds appropriated under this Act to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of the applicable Federal programs. Notwithstanding any requirement as to the amount or sources of non-Federal funds that may otherwise be applicable to the Federal program involved, funds provided under this subsection shall be used for the sole purpose of increasing the Federal contribution to specific projects in redevelopment areas under such programs above the fixed maximum portion of the cost of such project otherwise authorized by the applicable law. The term "designated Federal grant-in-aid programs," as used in this subsection, means such existing or future Federal grant-in-aid programs assisting in the construction or equipping of facilities as the Secretary may, in furtherance of the purposes of this Act, designate as eligible for allocation of funds under this section. In determining the amount of any supplementary grant available to any project under this section, the Secretary shall take into consideration the relative needs of the area, the nature of the project to be assisted, and the amount of such fair user charges or other revenues as the project may reasonably be expected to generate in excess of those which would amortize the local share of initial costs and provide for its successful operation and maintenance (including depreciation).

(d) The Secretary shall prescribe rules, regulations, and procedures to carry out this section which will assure that adequate consideration is given to the relative needs of eligible areas. In prescribing such rules, regulations, and procedures the Secretary shall consider among other relevant factors (1) the severity of the rates of unemployment in the eligible areas and the duration of such unemployment and (2)

the income levels of families and the extent of underemployment in eligible areas.

(e) Except for projects specifically authorized by Congress, no financial assistance shall be extended under this section with respect to any public service or development facility which would compete with an existing privately owned public utility rendering a service to the public at rates or charges subject to regulation by a State or Federal regulatory body, unless the State or Federal regulatory body determines that in the area to be served by the facility for which the financial assistance is to be extended there is a need for an increase in such service (taking into consideration reasonably foreseeable future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it agrees to undertake.

(f) The Secretary shall prescribe regulations which will assure that appropriate local governmental authorities have been given a reasonable opportunity to review and comment upon proposed projects under this section.

SEC. 102. (a) In addition to the assistance otherwise authorized, the Secretary is authorized to make grants in accordance with the provisions of this title to those areas which the Secretary of Labor determines, on the basis of average annual available unemployment statistics, were areas of substantial unemployment during the preceding calendar year.

(b) Areas designated under the authority of this section shall be subject to an annual review of eligibility in accordance with section 402, and to all of the rules, regulations, and procedures applicable to redevelopment areas except as the Secretary may otherwise prescribe by regulation.

SEC. 103. Not more than 15 per centum of the appropriations made pursuant to this title may be expended in any one State.

SEC. 104. No part of any appropriations made pursuant to this title may be expended for any project in any area which is within the "Appalachian region" (as that term is defined in section 403 of the Appalachian Regional Development Act of 1965) which is approved for assistance under the Appalachian Regional Development Act of 1965.

Ante, p. 21.

Appropriation.

SEC. 105. There is hereby authorized to be appropriated to carry out this title not to exceed $500,000,000 for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through the fiscal year ending June 30, 1969.

FINANCIAL ASSISTANCE FOR SEWER FACILITIES

SEC. 106. No financial assistance, through grants, loans, guarantees, or otherwise, shall be made under this Act to be used directly or indirectly for sewer or other waste disposal facilities unless the Secretary of Health, Education, and Welfare certifies to the Secretary that any waste material carried by such facilities will be adequately treated before it is discharged into any public waterway so as to meet applicable Federal, State, interstate, or local water quality standards.

TITLE II—OTHER FINANCIAL ASSISTANCE

PUBLIC WORKS AND DEVELOPMENT FACILITY LOANS

SEC. 201. (a) Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public nonprofit organization or association representing any redevelopment area or part thereof, the Secretary is authorized to purchase evidence of indebtedness and to make loans to assist in financing the purchase or development of land

and improvements for public works, public service, or development facility usage, including public works, public service, and development facility usage, to be provided by agencies of the Federal Government pursuant to legislation requiring that non-Federal entities bear some part of the cost thereof, and the acquisition, construction, rehabilitation, alteration, expansion, or improvement of such facilities, including related machinery and equipment, within a redevelopment area, if he finds that—

(1) the project for which financial assistance is sought will directly or indirectly—

(A) tend to improve the opportunities, in the area where such project is or will be located, for the successful establishment or expansion of industrial or commercial plants or facilities,

(B) otherwise assist in the creation of additional long-term employment opportunities for such area, or

(C) primarily benefit the long-term unemployed and members of low-income families or otherwise substantially further the objectives of the Economic Opportunity Act of 1964;

78 Stat. 508.
42 USC 2701 note.

(2) the funds requested for such project are not otherwise available from private lenders or from other Federal agencies on terms which in the opinion of the Secretary will permit the accomplishment of the project;

(3) the amount of the loan plus the amount of other available funds for such project are adequate to insure the completion thereof;

(4) there is a reasonable expectation of repayment; and

(5) such area has an approved overall economic development program as provided in section 202(b)(10) and the project for which financial assistance is sought is consistent with such program.

(b) Subject to section 701(5), no loan, including renewals or extensions thereof, shall be made under this section for a period exceeding forty years, and no evidence of indebtedness maturing more than forty years from the date of purchase shall be purchased under this section. Such loans shall bear interest at a rate not less than 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 maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, less not to exceed one-half of 1 per centum per annum.

Appropriation.

(c) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section and section 202: *Provided*, That annual appropriations for the purpose of purchasing evidences of indebtedness, making and participating in loans, and guaranteeing loans shall not exceed $170,000,000, for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through the fiscal year ending June 30, 1970.

(d) Except for projects specifically authorized by Congress, no financial assistance shall be extended under this section with respect to any public service or development facility which would compete with an existing privately owned public utility rendering a service to the public at rates or charges subject to regulation by a State or Federal regulatory body, unless the State or Federal regulatory body determines that in the area to be served by the facility for which the financial assistance is to be extended there is a need for an increase in such service (taking into consideration reasonably foreseeable

future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it agrees to undertake.

(e) The Secretary shall prescribe regulations which will assure that appropriate local governmental authorities have been given a reasonable opportunity to review and comment upon proposed projects under this section.

LOANS AND GUARANTEES

SEC. 202. (a) The Secretary is authorized (1) to purchase evidences of indebtedness and to make loans (which for purposes of this section shall include participations in loans) to aid in financing any project within a redevelopment area for the purchase or development of land and facilities (including machinery and equipment) for industrial or commercial usage, including the construction of new buildings, the rehabilitation of abandoned or unoccupied buildings, and the alteration, conversion, or enlargement of existing buildings; and (2) to guarantee loans for working capital made to private borrowers by private lending institutions in connection with projects in redevelopment areas assisted under subsection (a) (1) hereof, upon application of such institution and upon such terms and conditions as the Secretary may prescribe: *Provided, however*, That no such guarantee shall at any time exceed 90 per centum of the amount of the outstanding unpaid balance of such loan.

(b) Financial assistance under this section shall be on such terms and conditions as the Secretary determines, subject, however, to the following restrictions and limitations:

(1) Such financial assistance shall not be extended to assist establishments relocating from one area to another or to assist subcontractors whose purpose is to divest, or whose economic success is dependent upon divesting, other contractors or subcontractors of contracts theretofore customarily performed by them: *Provided, however*, That such limitation shall not be construed to prohibit assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary finds that the establishment of such branch, affiliate, or subsidiary will not result in an increase in unemployment of the area of original location or in any other area where such entity conducts business operations, unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

(2) Such assistance shall be extended only to applicants, both private and public (including Indian tribes), which have been approved for such assistance by an agency or instrumentality of the State or political subdivision thereof in which the project to be financed is located, and which agency or instrumentality is directly concerned with problems of economic development in such State or subdivision.

(3) The project for which financial assistance is sought must be reasonably calculated to provide more than a temporary alleviation of unemployment or underemployment within the redevelopment area wherein it is or will be located.

(4) No loan or guarantee shall be extended hereunder unless the financial assistance applied for is not otherwise available from private lenders or from other Federal agencies on terms which in the opinion of the Secretary will permit the accomplishment of the project.

(5) The Secretary shall not make any loan without a participation unless he determines that the loan cannot be made on a participation basis.

(6) No evidences of indebtedness shall be purchased and no loans shall be made or guaranteed unless it is determined that there is reasonable assurance of repayment.

(7) Subject to section 701(5) of this Act, no loan, including renewals or extension thereof, may be made hereunder for a period exceeding twenty-five years and no evidences of indebtedness maturing more than twenty-five years from date of purchase may be purchased hereunder: *Provided*, That the foregoing restrictions on maturities shall not apply to securities or obligations received by the Secretary as a claimant in bankruptcy or equitable reorganization or as a creditor in other proceedings attendant upon insolvency of the obligor.

(8) Loans made and evidences of indebtedness purchased under this section shall bear interest at a rate not less than 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 maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, plus additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purpose.

(9) Loan assistance shall not exceed 65 per centum of the aggregate cost to the applicant (excluding all other Federal aid in connection with the undertaking) of acquiring or developing land and facilities (including machinery and equipment), and of constructing, altering, converting, rehabilitating, or enlarging the building or buildings of the particular project, and shall, among others, be on the condition that—

(A) other funds are available in an amount which, together with the assistance provided hereunder, shall be sufficient to pay such aggregate cost;

(B) not less than 15 per centum of such aggregate cost be supplied as equity capital or as a loan repayable in no shorter period of time and at no faster an amortization rate than the Federal financial assistance extended under this section is being repaid, and if such a loan is secured, its security shall be subordinate and inferior to the lien or liens securing such Federal financial assistance: *Provided, however*, That, except in projects involving financial participation by Indian tribes, not less than 5 per centum of such aggregate cost shall be supplied by the State or any agency, instrumentality, or political subdivision thereof, or by a community or area organization which is nongovernmental in character, unless the Secretary shall determine in accordance with objective standards promulgated by regulation that all or part of such funds are not reasonably available to the project because of the economic distress of the area or for other good cause, in which case he may waive the requirement of this provision to the extent of such unavailability, and allow the funds required by this subsection to be supplied by the applicant or by such other non-Federal source as may reasonably be available to the project;

(C) to the extent the Secretary finds such action necessary to encourage financial participation in a particular project by other lenders and investors, and except as otherwise provided in subparagraph (B), any Federal financial assistance extended under this section may be repayable only after other loans made in connection with such project have been repaid in full, and the security, if any, for such Federal financial assistance may be subordinate and inferior to the lien or liens securing other loans made in connection with the same project.

(10) No such assistance shall be extended unless there shall be submitted to and approved by the Secretary an overall program for the economic development of the area and a finding by the State, or any agency, instrumentality, or local political subdivision thereof, that the project for which financial assistance is sought is consistent with such program: *Provided*, That nothing in this Act shall authorize financial assistance for any project prohibited by laws of the State or local political subdivision in which the project would be located, nor prevent the Secretary from requiring such periodic revisions of previously approved overall economic development programs as he may deem appropriate.

ECONOMIC DEVELOPMENT REVOLVING FUND

SEC. 203. Funds obtained by the Secretary under section 201, loan funds obtained under section 403, and collections and repayments received under this Act, shall be deposited in an economic development revolving fund (hereinafter referred to as the "fund"), which is hereby established in the Treasury of the United States, and which shall be available to the Secretary for the purpose of extending financial assistance under sections 201, 202, and 403, and for the payment of all obligations and expenditures arising in connection therewith. There shall also be credited to the fund such funds as have been paid into the area redevelopment fund or may be received from obligations outstanding under the Area Redevelopment Act. The fund shall pay into miscellaneous receipts of the Treasury, following the close of each fiscal year, interest on the amount of loans outstanding under this Act computed in such manner and at such rate as may be 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 maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, during the month of June preceding the fiscal year in which the loans were made.

75 Stat. 47.
42 USC 2501 note.

TITLE III—TECHNICAL ASSISTANCE, RESEARCH, AND INFORMATION

SEC. 301. (a) In carrying out his duties under this Act the Secretary is authorized to provide technical assistance which would be useful in alleviating or preventing conditions of excessive unemployment or underemployment (1) to areas which he has designated as redevelopment areas under this Act, and (2) to other areas which he finds have substantial need for such assistance. Such assistance shall include project planning and feasibility studies, management and operational assistance, and studies evaluating the needs of, and developing potentialities for, economic growth of such areas. Such assistance may be provided by the Secretary through members of his staff, through the payment of funds authorized for this section to other departments or agencies of the Federal Government, through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purposes, or through grants-in-aid to appropriate public or private nonprofit State, area, district, or local organizations. The Secretary, in his discretion, may require the repayment of assistance provided under this subsection and prescribe the terms and conditions of such repayment.

(b) The Secretary is authorized to make grants to defray not to exceed 75 per centum of the administrative expenses of organizations which he determines to be qualified to receive grants-in-aid under sub-

section (a) hereof. In determining the amount of the non-Federal share of such costs or expenses, the Secretary shall give due consideration to all contributions both in cash and in kind, fairly evaluated, including but not limited to space, equipment, and services. Where practicable, grants-in-aid authorized under this subsection shall be used in conjunction with other available planning grants, such as urban planning grants authorized under the Housing Act of 1954, as amended, and highway planning and research grants authorized under the Federal Aid Highway Act of 1962, to assure adequate and effective planning and economical use of funds.

68 Stat. 590.
12 USC 1703 note.
76 Stat. 1145.
23 USC 101 note.

(c) To assist in the long-range accomplishment of the purposes of this Act, the Secretary, in cooperation with other agencies having similar functions, shall establish and conduct a continuing program of study, training, and research to (A) assist in determining the causes of unemployment, underemployment, underdevelopment, and chronic depression in the various areas and regions of the Nation, (B) assist in the formulation and implementation of national, State, and local programs which will raise income levels and otherwise produce solutions to the problems resulting from these conditions, and (C) assist in providing the personnel needed to conduct such programs. The program of study, training, and research may be conducted by the Secretary through members of this staff, through payment of funds authorized for this section to other departments or agencies of the Federal Government, or through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purposes, or through grants to such individuals, organizations, or institutions, or through conferences and similar meetings organized for such purposes. The Secretary shall make available to interested individuals and organizations the results of such research. The Secretary shall include in his annual report under section 707 a detailed statement concerning the study and research conducted under this section together with his findings resulting therefrom and his recommendations for legislative and other action.

(d) The Secretary shall aid redevelopment areas and other areas by furnishing to interested individuals, communities, industries, and enterprises within such areas any assistance, technical information, market research, or other forms of assistance, information, or advice which would be useful in alleviating or preventing conditions of excessive unemployment or underemployment within such areas. The Secretary may furnish the procurement divisions of the various departments, agencies, and other instrumentalities of the Federal Government with a list containing the names and addresses of business firms which are located in redevelopment areas and which are desirous of obtaining Government contracts for the furnishing of supplies or services, and designating the supplies and services such firms are engaged in providing.

(e) The Secretary shall establish an independent study board consisting of governmental and nongovernmental experts to investigate the effects of Government procurement, scientific, technical, and other related policies, upon regional economic development. Any Federal officer or employee may, with the consent of the head of the department or agency in which he is employed, serve as a member of such board, but shall receive no additional compensation for such service. Other members of such board may be compensated in accordance with the provisions of section 701(10). The board shall report its findings, together with recommendations for the better coordination of such policies, to the Secretary, who shall transmit the report to the Congress not later than two years after the enactment of this Act.

Report to Congress.

Appropriation.

SEC. 302. There is hereby authorized to be appropriated $25,000,000 annually for the purposes of this title, for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through the fiscal year ending June 30, 1970.

TITLE IV—AREA AND DISTRICT ELIGIBILITY

PART A—REDEVELOPMENT AREAS

AREA ELIGIBILITY

SEC. 401. (a) The Secretary shall designate as "redevelopment areas"—

(1) those areas in which he determines, upon the basis of standards generally comparable with those set forth in paragraphs (A) and (B), that there has existed substantial and persistent unemployment for an extended period of time and those areas in which he determines there has been a substantial loss of population due to lack of employment opportunity. There shall be included among the areas so designated any area—

(A) where the Secretary of Labor finds that the current rate of unemployment, as determined by appropriate annual statistics for the most recent available calendar year, is 6 per centum or more and has averaged at least 6 per centum for the qualifying time periods specified in paragraph (B); and

(B) where the Secretary of Labor finds that the annual average rate of unemployment has been at least—

(i) 50 per centum above the national average for three of the preceding four calendar years, or

(ii) 75 per centum above the national average for two of the preceding three calendar years, or

(iii) 100 per centum above the national average for one of the preceding two calendar years.

The Secretary of Labor shall find the facts and provide the data to be used by the Secretary in making the determinations required by this subsection;

(2) those additional areas which have a median family income not in excess of 40 per centum of the national median, as determined by the most recent available statistics for such areas;

(3) those additional Federal or State Indian reservations or trust or restricted Indian-owned land areas which the Secretary, after consultation with the Secretary of the Interior or an appropriate State agency, determines manifest the greatest degree of economic distress on the basis of unemployment and income statistics and other appropriate evidence of economic underdevelopment;

(4) upon request of such areas, those additional areas in which the Secretary determines that the loss, removal, curtailment, or closing of a major source of employment has caused within three years prior to, or threatens to cause within three years after, the date of the request an unusual and abrupt rise in unemployment of such magnitude that the unemployment rate for the area at the time of the request exceeds the national average, or can reasonably be expected to exceed the national average, by 50 per centum or more unless assistance is provided. Notwithstanding any provision of subsection 401(b) to the contrary, an area designated under the authority of this paragraph may be given a reasonable time after designation in which to submit the overall economic development program required by subsection 202(b)(10) of this Act;

(5) notwithstanding any provision of this section to the contrary, those additional areas which were designated redevelopment areas under the Area Redevelopment Act on or after March 1, 1965: *Provided, however*, That the continued eligibility of such areas after the first annual review of eligibility conducted in accordance with section 402 of this Act shall be dependent on their qualification for designation under the standards of economic need set forth in subsections (a) (1) through (a) (4) of this section.

75 Stat. 47. 42 USC 2501 note.

(b) The size and boundaries of redevelopment areas shall be as determined by the Secretary: *Provided, however*. That—

(1) no area shall be designated until it has an approved overall economic development program in accordance with subsection 202(b) (10) of this Act;

(2) any area which does not submit an acceptable overall economic development program in accordance with subsection 202 (b) (10) of this Act within a reasonable time after notification of eligibility for designation, shall not thereafter be designated prior to the next annual review of eligibility in accordance with section 402 of this Act;

(3) no area shall be designated which does not have a population of at least one thousand five hundred persons, except for areas designated under subsection 401(a) (3), which shall have a population of not less than one thousand persons; and

(4) except for areas designated under subsections (a) (3) and (a) (4) hereof, no area shall be designated which is smaller than a "labor area" (as defined by the Secretary of Labor), a county, or a municipality with a population of over two hundred and fifty thousand, whichever in the opinion of the Secretary is appropriate.

(c) Upon the request of the Secretary, the Secretary of Labor, the Secretary of Agriculture, the Secretary of the Interior, and such other heads of agencies as may be appropriate are authorized to conduct such special studies, obtain such information, and compile and furnish to the Secretary such data as the Secretary may deem necessary or proper to enable him to make the determinations provided for in this section. The Secretary shall reimburse when appropriate, out of any funds appropriated to carry out the purposes of this Act, the foregoing officers for any expenditures incurred by them under this section.

(d) If a State has no area designated under the preceding subsections of this section as a redevelopment area, the Secretary shall designate as a redevelopment area that area in such State which in his opinion most nearly qualifies under such preceding subsections. An area so designated shall have its eligibility terminated in accordance with the provisions of section 402 if any other area within the same State subsequently has become qualified or been designated under any other subsection of this section as of the time of the annual review prescribed by section 402: *Provided*, That the Secretary shall not terminate any designation of an area in a State as a redevelopment area if to do so would result in such State having no redevelopment area.

(e) As used in this Act, the term "redevelopment area" refers to any area within the United States which has been designated by the Secretary as a redevelopment area.

"Redevelopment area."

ANNUAL REVIEW OF AREA ELIGIBILITY

SEC. 402. The Secretary shall conduct an annual review of all areas designated in accordance with section 401 of this Act, and on the basis thereof shall terminate or modify the designations of such areas in accordance with objective standards which he shall prescribe by

regulation. No area previously designated shall retain its designated status unless it maintains a currently approved overall economic development program in accordance with subsection 202(b)(10). No termination of eligibility shall (1) be made without thirty days' prior notification to the area concerned, (2) affect the validity of any application filed, or contract or undertaking entered into, with respect to such area pursuant to this Act prior to such termination, (3) prevent any such area from again being designated a redevelopment area under section 401 of this Act if the Secretary determines it to be eligible under such section, or (4) be made in the case of any designated area where the Secretary determines that an improvement in the unemployment rate of a designated area is primarily the result of increased employment in occupations not likely to be permanent. The Secretary shall keep the departments and agencies of the Federal Government, and interested State or local agencies, advised at all times of any changes made hereunder with respect to the classification of any area.

PART B—ECONOMIC DEVELOPMENT DISTRICTS

SEC. 403. (a) In order that economic development projects of broader geographical significance may be planned and carried out, the Secretary is authorized—

(1) to designate appropriate "economic development districts" within the United States with the concurrence of the States in which such districts will be wholly or partially located, if—

(A) the proposed district is of sufficient size or population, and contains sufficient resources, to foster economic development on a scale involving more than a single redevelopment area;

(B) the proposed district contains two or more redevelopment areas;

(C) the proposed district contains one or more redevelopment areas or economic development centers identified in an approved district overall economic development program as having sufficient size and potential to foster the economic growth activities necessary to alleviate the distress of the redevelopment areas within the district; and

(D) the proposed district has a district overall economic development program which includes adequate land use and transportation planning and contains a specific program for district cooperation, self-help, and public investment and is approved by the State or States affected and by the Secretary;

(2) to designate as "economic development centers," in accordance with such regulations as he shall prescribe, such areas as he may deem appropriate, if—

(A) the proposed center has been identified and included in an approved district overall economic development program and recommended by the State or States affected for such special designation;

(B) the proposed center is geographically and economically so related to the district that its economic growth may reasonably be expected to contribute significantly to the alleviation of distress in the redevelopment areas of the district; and

(C) the proposed center does not have a population in excess of two hundred and fifty thousand according to the last preceding Federal census.

(3) to provide financial assistance in accordance with the criteria of sections 101, 201, and 202 of this Act, except as may be

herein otherwise provided, for projects in economic development centers designated under subsection (a)(2) above, if—

(A) the project will further the objectives of the overall economic development program of the district in which it is to be located;

(B) the project will enhance the economic growth potential of the district or result in additional long-term employment opportunities commensurate with the amount of Federal financial assistance requested; and

(C) the amount of Federal financial assistance requested is reasonably related to the size, population, and economic needs of the district;

(4) subject to the 20 per centum non-Federal share required for any project by subsection 101(c) of this Act, to increase the amount of grant assistance authorized by section 101 for projects within redevelopment areas (designated under section 401), by an amount not to exceed 10 per centum of the aggregate cost of any such project, in accordance with such regulations as he shall prescribe if—

(A) the redevelopment area is situated within a designated economic development district and is actively participating in the economic development activities of the district; and

(B) the project is consistent with an approved district overall economic development program.

(b) In designating economic development districts and approving district overall economic development programs under subsection (a) of this section, the Secretary is authorized, under regulations prescribed by him—

(1) to invite the several States to draw up proposed district boundaries and to identify potential economic development centers;

(2) to cooperate with the several States—

(A) in sponsoring and assisting district economic planning and development groups, and

(B) in assisting such district groups to formulate district overall economic development programs;

(3) to encourage participation by appropriate local governmental authorities in such economic development districts.

(c) The Secretary shall by regulation prescribe standards for the termination or modification of economic development districts and economic development centers designated under the authority of this section.

"Economic development district."

(d) As used in this Act, the term "economic development district" refers to any area within the United States composed of cooperating redevelopment areas and, where appropriate, designated economic development centers and neighboring counties or communities, which has been designated by the Secretary as an economic development district.

"Economic development center."

(e) As used in this Act, the term "economic development center" refers to any area within the United States which has been identified as an economic development center in an approved district overall economic development program and which has been designated by the Secretary as eligible for financial assistance under sections 101, 201, and 202 of this Act in accordance with the provisions of this section.

"Local government."

(f) For the purpose of this Act the term "local government" means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

Appropriation.

(g) There is hereby authorized to be appropriated not to exceed $50,000,000 for the fiscal year ending June 30, 1967, and for each fiscal

year thereafter through the fiscal year ending June 30, 1970, for financial assistance extended under the provisions of subsection (a) (3) and (a) (4) hereof.

Effective date.

(h) In order to allow time for adequate and careful district planning, subsection (g) of this section shall not be effective until one year from the date of enactment.

TITLE V—REGIONAL ACTION PLANNING COMMISSIONS

ESTABLISHMENT OF REGIONS

SEC. 501. The Secretary is authorized to designate appropriate "economic development regions" within the United States with the concurrence of the States in which such regions will be wholly or partially located if he finds (A) that there is a relationship between the areas within such region geographically, culturally, historically, and economically, (B) that with the exception of Alaska and Hawaii, the region is within contiguous States, and (C) upon consideration of the following matters, among others, that the region has lagged behind the whole Nation in economic development:

(1) the rate of unemployment is substantially above the national rate;

(2) the median level of family income is significantly below the national median;

(3) the level of housing, health, and educational facilities is substantially below the national level;

(4) the economy of the area has traditionally been dominated by only one or two industries, which are in a state of long-term decline;

(5) the rate of outmigration of labor or capital or both is substantial;

(6) the area is adversely affected by changing industrial technology;

(7) the area is adversely affected by changes in national defense facilities or production; and

(8) indices of regional production indicate a growth rate substantially below the national average.

REGIONAL COMMISSIONS

SEC. 502. (a) Upon designation of development regions, the Secretary shall invite and encourage the States wholly or partially located within such regions to establish appropriate multistate regional commissions.

Membership.

(b) Each such commission shall be composed of one Federal member, hereinafter referred to as the "Federal cochairman", appointed by the President by and with the advice and consent of the Senate, and one member from each participating State in the region. Each State member may be the Governor, or his designee, or such other person as may be provided by the law of the State which he represents. The State members of the commission shall elect a cochairman of the commission from among their number.

(c) Decisions by a regional commission shall require the affirmative vote of the Federal cochairman and of a majority, or at least one if only two, of the State members. In matters coming before a regional commission, the Federal cochairman shall, to the extent practicable, consult with the Federal departments and agencies having an interest in the subject matter.

Alternates.

(d) Each State member of a regional commission shall have an alternate, appointed by the Governor or as otherwise may be provided

by the law of the State which he represents. The President, by and with the advice and consent of the Senate, shall appoint an alternate for the Federal cochairman of each regional commission. An alternate shall vote in the event of the absence, death, disability, removal, or resignation of the State of Federal cochairman for which he is an alternate.

Compensation.

(e) The Federal cochairman to a regional commission shall be compensated by the Federal Government from funds authorized by this Act up to level IV of the Federal Executive Salary Schedule. His alternate shall be compensated by the Federal Government from funds authorized by this Act at not to exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended, and when not actively serving as an alternate for the Federal cochairman shall perform such functions and duties as are delegated to him by the Federal cochairman. Each State member and his alternate shall be compensated by the State which they represent at the rate established by the law of such State.

78 Stat. 417.
5 USC 2211.

Ante, p. 1111.
5 USC 1113.

(f) If the Secretary finds that the State of Alaska or the State of Hawaii meet the requirements for an economic development region, he may establish a Commission for either State in a manner agreeable to him and to the Governor of the affected State.

FUNCTIONS OF COMMISSION

SEC. 503. (a) In carrying out the purposes of this Act, each Commission shall with respect to its region—

(1) advise and assist the Secretary in the identification of optimum boundaries for multistate economic development regions;

(2) initiate and coordinate the preparation of long-range overall economic development programs for such regions;

(3) foster surveys and studies to provide data required for the preparation of specific plans and programs for the development of such regions;

(4) advise and assist the Secretary and the States concerned in the initiation and coordination of economic development districts, in order to promote maximum benefits from the expenditure of Federal, State, and local funds;

(5) promote increased private investment in such regions;

(6) prepare legislative and other recommendations with respect to both short-range and long-range programs and projects for Federal, State, and local agencies;

(7) develop, on a continuing basis, comprehensive and coordinated plans and programs and establish priorities thereunder, giving due consideration to other Federal, State, and local planning in the region;

(8) conduct and sponsor investigations, research, and studies, including an inventory and analysis of the resources of the region, and, in cooperation with Federal, State and local agencies, sponsor demonstration projects designed to foster regional productivity and growth;

(9) review and study, in cooperation with the agency involved, Federal, State, and local public and private programs and, where appropriate, recommend modifications or additions which will increase their effectiveness in the region;

(10) formulate and recommend, where appropriate, interstate compacts and other forms of interstate cooperation, and work with State and local agencies in developing appropriate model legislation; and

(11) provide a forum for consideration of problems of the region and proposed solutions and establish and utilize, as appropriate, citizens and special advisory councils and public conferences.

(b) The Secretary shall present such plans and proposals of the commissions as may be transmitted and recommended to him (but are not authorized by any other section of this Act) first for review by the Federal agencies primarily interested in such plans and proposals and then, together with the recommendations of such agencies, to the President for such action as he may deem desirable.

(c) The Secretary shall provide effective and continuing liaison between the Federal Government and each regional commission.

(d) Each Federal agency shall, consonant with law and within the limits of available funds, cooperate with such commissions as may be established in order to assist them in carrying out their functions under this section.

(e) Each regional commission may, from time to time, make additional recommendations to the Secretary and recommendations to the State Governors and appropriate local officials, with respect to—

(1) the expenditure of funds by Federal, State, and local departments and agencies in its region in the fields of natural resources, agriculture, education, training, health and welfare, transportation, and other fields related to the purposes of this Act; and

(2) such additional Federal, State, and local legislation or administrative actions as the commission deems necessary to further the purposes of this Act.

PROGRAM DEVELOPMENT CRITERIA

SEC. 504. In developing recommendations for programs and projects for future regional economic development, and in establishing within those recommendations a priority ranking for such programs and projects, the Secretary shall encourage each regional commission to follow procedures that will insure consideration of the following factors:

(1) the relationship of the project or class of projects to overall regional development including its location in an area determined by the State to have a significant potential for growth;

(2) the population and area to be served by the project or class of projects including the relative per capita income and the unemployment rates in the area;

(3) the relative financial resources available to the State or political subdivisions or instrumentalities thereof which seek to undertake the project;

(4) the importance of the project or class of projects in relation to other projects or classes of projects which may be in competition for the same funds;

(5) the prospects that the project, on a continuing rather than a temporary basis, will improve the opportunities for employment, the average level of income, or the economic and social development of the area served by the project.

REGIONAL TECHNICAL AND PLANNING ASSISTANCE

SEC. 505. (a) The Secretary is authorized to provide to the commissions technical assistance which would be useful in aiding the commissions to carry out their functions under this Act and to develop recommendations and programs. Such assistance shall include studies and plans evaluating the needs of, and developing potentialities for,

economic growth of such region, and research on improving the conservation and utilization of the human and natural resources of the region. Such assistance may be provided by the Secretary through members of his staff, through the payment of funds authorized for this section to other departments or agencies of the Federal Government, or through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purposes, or through grants-in-aid to the commissions. The Secretary, in his discretion, may require the repayment of assistance provided under this subsection and prescribe the terms and conditions of such repayment.

Federal share of costs.

(b) For the period ending on June 30 of the second full Federal fiscal year following the date of establishment of a commission, the administrative expenses of each commission as approved by the Secretary shall be paid by the Federal Government. Thereafter, not to exceed 50 per centum of such expenses may be paid by the Federal Government. In determining the amount of the non-Federal share of such costs or expenses, the Secretary shall give due consideration to all contributions both in cash and in kind, fairly evaluated, including but not limited to space, equipment, and services.

Appropriation.

(c) There is hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through the fiscal year ending June 30, 1970, for the purposes of this section.

ADMINISTRATIVE POWERS OF REGIONAL COMMISSIONS

SEC. 506. To carry out its duties under this Act, each regional commission is authorized to—

(1) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of its business and the performance of its functions;

(2) appoint and fix the compensation of an executive director and such other personnel as may be necessary to enable the commission to carry out its functions, except that such compensation shall not exceed the salary of the alternate to the Federal cochairman on the commission and no member, alternate, officer, or employee of such commission, other than the Federal cochairman on the commission and his staff and his alternate, and Federal employees detailed to the commission under clause (3), shall be deemed a Federal employee for any purpose;

(3) request the head of any Federal department or agency (who is hereby so authorized) to detail to temporary duty with the commission such personnel within his administrative jurisdiction as the commission may need for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status;

(4) arrange for the services of personnel from any State or local government or any subdivision or agency thereof, or any intergovernmental agency;

(5) make arrangements, including contracts, with any participating State government for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for, or continue in, another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel, and the Civil Service Commission of the United States is authorized to contract with such commission for continued coverage of commission employees, who at date of

commission employment are Federal employees, in the retirement program and other employee benefit programs of the Federal Government;

(6) accept, use, and dispose of gifts or donations of services or property, real, personal, or mixed, tangible or intangible;

(7) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation;

(8) maintain an office in the District of Columbia and establish field offices at such other places as it may deem appropriate; and

(9) take such other actions and incur such other expenses as may be necessary or appropriate.

INFORMATION

SEC. 507. In order to obtain information needed to carry out its duties, each regional commission shall—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable, a cochairman of such commission, or any member of the commission designated by the commission for the purpose, being hereby authorized to administer oaths when it is determined by the commission that testimony shall be taken or evidence received under oath;

(2) arrange for the head of any Federal, State, or local department or agency (who is hereby so authorized, to the extent not otherwise prohibited by law) to furnish to such commission such information as may be available to or procurable by such department or agency; and

Records.

(3) keep accurate and complete records of its doings and transactions which shall be made available for public inspection.

PERSONAL FINANCIAL INTERESTS

SEC. 508. (a) Except as permitted by subsection (b) hereof, no State member or alternate and no officer or employee of a regional commission shall participate personally and substantially as member, alternate, officer, or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization (other than a State or political subdivision thereof) in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest. Any person who shall violate the provisions of this subsection shall be fined not more than $10,000, or imprisoned not more than two years, or both.

Penalty.

(b) Subsection (a) hereof shall not apply if the State member, alternate, officer, or employee first advises the regional commission involved of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter and makes full disclosure of

the financial interest and receives in advance a written determination made by such commission that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the commission may expect from such State member, alternate, officer, or employee.

(c) No State member of a regional commission, or his alternate, shall receive any salary, or any contribution to or supplementation of salary for his services on such commission from any source other than his State. No person detailed to serve a regional commission under authority of clause (4) of section 506 shall receive any salary or any contribution to or supplementation of salary for his services on such commission from any source other than the State, local, or intergovernmental department or agency from which he was detailed or from such commission. Any person who shall violate the provisions of this subsection shall be fined not more than $5,000, or imprisoned not more than one year, or both.

Penalty.

(d) Notwithstanding any other subsection of this section, the Federal cochairman and his alternate on a regional commission and any Federal officers or employees detailed to duty with it pursuant to clause (3) of section 10 shall not be subject to any such subsection but shall remain subject to sections 202 through 209 of title 18, United States Code.

Conflict-of-interest.

76 Stat. 1121.

(e) A regional commission may, in its discretion, declare void and rescind any contract or other agreement pursuant to the Act in relation to which it finds that there has been a violation of subsection (a) or (c) of this section, or any of the provisions of sections 202 through 209, title 18, United States Code.

ANNUAL REPORTS

SEC. 509. Each regional commission established pursuant to this Act shall make a comprehensive and detailed annual report each fiscal year to the Congress with respect to such commission's activities and recommendations for programs. The first such report shall be made for the first fiscal year in which such commission is in existence for more than three months. Such reports shall be printed and transmitted to the Congress not later than January 31 of the calendar year following the fiscal year with respect to which the report is made.

TITLE VI—ADMINISTRATION

SEC. 601. (a) The Secretary shall administer this Act and, with the assistance of an Assistant Secretary of Commerce, in addition to those already provided for, shall supervise and direct the Administrator created herein, and coordinate the Federal cochairmen appointed heretofore or subsequent to this Act. The Assistant Secretary created by this section shall be appointed by the President by and with the advice and consent of the Senate and shall be compensated at the rate provided for level IV of the Federal Executive Salary Schedule. Such Assistant Secretary shall perform such functions as the Secretary may prescribe. There shall be appointed by the President, by and with the advice and consent of the Senate, an Administrator for Economic Development who shall be compensated at the rate provided for level V of the Federal Executive Salary Schedule who shall perform such duties as are assigned by the Secretary.

Assistant Secretary of Commerce, appointment.

78 Stat. 417.
5 USC 2211.

Administrator for Economic Development, appointment.

(b) Paragraph (12) of subsection (d) of section 303 of the Federal Executive Salary Act of 1964 is amended by striking out "(4)" and inserting in lieu thereof "(5)".

78 Stat. 417.
5 USC 2211.

(c) Subsection (e) of section 303 of the Federal Executive Salary Act of 1964 is amended by adding at the end thereof the following new paragraph:

"(100) Administrator for Economic Development."

ADVISORY COMMITTEE ON REGIONAL ECONOMIC DEVELOPMENT

SEC. 602. The Secretary shall appoint a National Public Advisory Committee on Regional Economic Development which shall consist of twenty-five members and shall be composed of representatives of labor, management, agriculture, State and local governments, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

CONSULTATION WITH OTHER PERSONS AND AGENCIES

SEC. 603. (a) The Secretary is authorized from time to time to call together and confer with any persons, including representatives of labor, management, agriculture, and government, who can assist in meeting the problems of area and regional unemployment or underemployment.

(b) The Secretary may make provision for such consultation with interested departments and agencies as he may deem appropriate in the performance of the functions vested in him by this Act.

TITLE VII—MISCELLANEOUS

POWERS OF SECRETARY

SEC. 701. In performing his duties under this Act, the Secretary is authorized to—

(1) adopt, alter, and use a seal, which shall be judicially noticed;

(2) hold such hearings, sit and act at such times and places, and take such testimony, as he may deem advisable;

(3) request directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics needed to carry out the purposes of this Act; and each department, bureau, agency, board, commission, office, establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Secretary;

(4) under regulations prescribed by him, assign or sell at public or private sale, or otherwise dispose of for cash or credit, in his discretion and upon such terms and conditions and for such consideration as he shall determine to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with loans made or evidences of indebtedness purchased under this Act, and collect or compromise all obligations assigned to or held by him in connection with such loans or evidences of indebtedness until such time as such obligations may be referred to the Attorney General for suit or collection;

(5) further extend the maturity of or renew any loan made or evidence of indebtedness purchased under this Act, beyond the periods stated in such loan or evidence of indebtedness or in this

Act, for additional periods not to exceed ten years, if such extension or renewal will aid in the orderly liquidation of such loan or evidence of indebtedness;

(6) deal with, complete, renovate, improve, modernize, insure, rent, or sell for cash or credit, upon such terms and conditions and for such consideration as he shall determine to be reasonable, any real or personal property conveyed to, or otherwise acquired by, him in connection with loans made or evidences of indebtedness purchased under this Act;

(7) pursue to final collection, by way of compromise or other administrative action, prior to reference to the Attorney General, all claims against third parties assigned to him in connection with loans made or evidences of indebtedness purchased under this Act. This shall include authority to obtain deficiency judgments or otherwise in the case of mortgages assigned to the Secretary. Section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), shall not apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of property obtained by the Secretary as a result of loans made or evidences of indebtedness purchased under this Act if the premium therefor or the amount thereof does not exceed $1,000. The power to convey and to execute, in the name of the Secretary, deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real or personal property or any interest therein acquired by the Secretary pursuant to the provisions of this Act may be exercised by the Secretary or by any officer or agent appointed by him for that purpose without the execution of any express delegation of power or power of attorney;

(8) acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible), whenever deemed necessary or appropriate to the conduct of the activities authorized in sections 201, 202, 301, 403, and 503 of this Act;

(9) in addition to any powers, functions, privileges, and immunities otherwise vested in him, take any and all actions, including the procurement of the services of attorneys by contract, determined by him to be necessary or desirable in making, purchasing, servicing, compromising, modifying, liquidating, or otherwise administratively dealing with or realizing on loans made or evidences of indebtedness purchased under this Act;

(10) employ experts and consultants or organizations therefor as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), compensate individuals so employed at rates not in excess of $100 per diem, including travel time, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5 U.S.C. 73b-2) for persons in the Government service employed intermittently, while so employed: *Provided, however*, That contracts for such employment may be renewed annually;

60 Stat. 810.

60 Stat. 808; 75 Stat. 339, 340.

(11) sue and be sued in any court of record of a State having general jurisdiction or in any United States district court, and jurisdiction is conferred upon such district court to determine such controversies without regard to the amount in controversy; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Secretary or his property.

Nothing herein shall be construed to except the activities under this Act from the application of sections 507(b) and 2679 of title 28, United States Code, and of section 367 of the Revised Statutes (5 U.S.C. 316); and

62 Stat. 910, 984; 75 Stat. 539.

(12) establish such rules, regulations, and procedures as he may deem appropriate in carrying out the provisions of this Act.

PREVENTION OF UNFAIR COMPETITION

SEC. 702. No financial assistance under this Act shall be extended to any project when the result would be to increase the production of goods, materials, or commodities, or the availability of services or facilities, when there is not sufficient demand for such goods, material, commodities, services, or facilities, to employ the efficient capacity of existing competitive commercial or industrial enterprises.

SAVING PROVISIONS

SEC. 703. (a) No suit, action, or other proceeding lawfully commenced by or against the Administrator or any other officer of the Area Redevelopment Administration in his official capacity or in relation to the discharge of his official duties under the Area Redevelopment Act, shall abate by reason of the taking effect of the provisions of this Act, but the court may, on motion or supplemental petition filed at any time within twelve months after such taking effect, showing a necessity for the survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, allow the same to be maintained by or against the Secretary or the Administrator or such other officer of the Department of Commerce as may be appropriate.

75 Stat. 47. 42 USC 2501 note.

(b) Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. All rules, regulations, orders, authorizations, delegations, or other actions duly issued, made, or taken by or pursuant to applicable law, prior to the effective date of this Act, by any agency, officer, or office pertaining to any functions, powers, and duties under the Area Redevelopment Act shall continue in full force and effect after the effective date of this Act until modified or rescinded by the Secretary or such other officer of the Department of Commerce as, in accordance with applicable law, may be appropriate.

TRANSFER OF FUNCTIONS, EFFECTIVE DATE, AND LIMITATIONS ON ASSISTANCE

SEC. 704. (a) The functions, powers, duties, and authorities and the assets, funds, contracts, loans, liabilities, commitments, authorizations, allocations, and records which are vested in or authorized to be transferred to the Secretary of the Treasury under section 29(b) of the Area Redevelopment Act, and all functions, powers, duties, and authorities under section 29(c) of the Area Redevelopment Act are hereby vested in the Secretary.

42 USC 2525.

Acting Administrator, designation.

(b) The President may designate a person to act as Administrator under this Act until the office is filled as provided in this Act or until the expiration of the first period of sixty days following the effective date of this Act, whichever shall first occur. While so acting such person shall receive compensation at the rate provided by this Act for such office.

(c) The provisions of this Act shall take effect upon enactment unless herein explicitly otherwise provided. Effective date.

(d) Notwithstanding any requirements of this Act relating to the eligibility of areas, projects for which applications are pending before the Area Redevelopment Administration on the effective date of this Act shall for a period of one year thereafter be eligible for consideration by the Secretary for such assistance under the provisions of this Act as he may determine to be appropriate. Pending project applications.

(e) No financial assistance authorized under this Act shall be used to finance the cost of facilities for the generation, transmission, or distribution of electric energy, except on projects specifically authorized by the Congress, or to finance the cost of facilities for the production or transmission of gas (natural, manufactured, or mixed).

SEPARABILITY

SEC. 705. Notwithstanding any other evidence of the intent of Congress, it is hereby declared to be the intent of Congress that if any provision of this Act or the application thereof to any persons or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act or its application to other persons and circumstances, but shall be confined in its operation to the provision of this Act or the application thereof to the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

APPLICATION OF ACT

SEC. 706. As used in this Act, the terms "State", "States", and "United States" include the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

ANNUAL REPORT

SEC. 707. The Secretary shall make a comprehensive and detailed annual report to the Congress of his operations under this Act for each fiscal year beginning with the fiscal year ending June 30, 1966. Such report shall be printed and shall be transmitted to the Congress not later than January 3 of the year following the fiscal year with respect to which such report is made.

USE OF OTHER FACILITIES

SEC. 708. (a) The Secretary is authorized to delegate to the heads of other departments and agencies of the Federal Government any of the Secretary's functions, powers, and duties under this Act as he may deem appropriate, and to authorize the redelegation of such functions, powers, and duties by the heads of such departments and agencies.

(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this Act.

(c) Funds authorized to be appropriated under this Act may be transferred between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

APPROPRIATION

SEC. 709. There are hereby authorized to be appropriated such sums as may be necessary to carry out those provisions of the Act for which specific authority for appropriations is not otherwise provided in this Act. Appropriations authorized under this Act shall remain available until expended unless otherwise provided by appropriations Acts.

PENALTIES

SEC. 710. (a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any financial assistance under section 101, 201, 202, or 403 or any extension thereof by renewal, deferment or action, or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Secretary, or for the purpose of obtaining money, property, or anything of value, under this Act, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

(b) Whoever, being connected in any capacity with the Secretary, in the administration of this Act (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to him or pledged or otherwise entrusted to him, or (2) with intent to defraud the Secretary or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner, makes any false entry in any book, report, or statement of or to the Secretary, or without being duly authorized draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, or (3) with intent to defraud participates or shares in or receives directly or indirectly any money, profit, property, or benefit through any transaction, loan, grant, commission, contract, or any other act of the Secretary, or (4) gives any unauthorized information concerning any future action or plan of the Secretary which might affect the value of securities, or having such knowledge invests or speculates, directly or indirectly, in the securities or property of any company or corporation receiving loans, grants, or other assistance from the Secretary, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

EMPLOYMENT OF EXPEDITERS AND ADMINISTRATIVE EMPLOYEES

SEC. 711. No financial assistance shall be extended by the Secretary under section 101, 201, 202, or 403 to any business enterprise unless the owners, partners, or officers of such business enterprise (1) certify to the Secretary the names of any attorneys, agents, and other persons engaged by or on behalf of such business enterprise for the purpose of expediting applications made to the Secretary for assistance of any sort, under this Act, and the fees paid or to be paid to any such person; and (2) execute an agreement binding such business enterprise, for a period of two years after such assistance is rendered by the Secretary to such business enterprise, to refrain from employing, tendering any office or employment to, or retaining for professional services, any person who, on the date such assistance or any part thereof was ren-

dered, or within one year prior thereto, shall have served as an officer, attorney, agent, or employee, occupying a position or engaging in activities which the Secretary shall have determined involve discretion with respect to the granting of assistance under this Act.

PREVAILING RATE OF WAGE AND FORTY-HOUR WEEK

SEC. 712. All laborers and mechanics employed by contractors or subcontractors on projects assisted by the Secretary under this Act 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 shall not extend any financial assistance under section 101, 201, 202, or 403 for such a project 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 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 (40 U.S.C 276c).

49 Stat. 1011; 78 Stat. 238.

63 Stat. 108.

RECORD OF APPLICATIONS

SEC. 713. The Secretary shall maintain as a permanent part of the records of the Department of Commerce a list of applications approved for financial assistance under section 101, 201, 202, or 403, which shall be kept available for public inspection during the regular business hours of the Department of Commerce. The following information shall be posted in such list as soon as each application is approved; (1) the name of the applicant and, in the case of corporate applications, the names of the officers and directors thereof, (2) the amount and duration of the loan or grant for which application is made, (3) the purposes for which the proceeds of the loan or grant are to be used, and (4) a general description of the security offered in the case of a loan.

RECORDS AND AUDIT

SEC. 714. (a) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition by such recipient 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.

(b) The Secretary 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 that are pertinent to assistance received under this Act.

CONFORMING AMENDMENT

SEC. 715. All benefits heretofore specifically made available (and not subsequently revoked) under other Federal programs to persons or to public or private organizations, corporations, or entities in areas designated by the Secretary as "redevelopment areas" under section 5 of the Area Redevelopment Act, are hereby also extended, insofar as

75 Stat. 48.
42 USC 2504.

practicable, to such areas as may be designated as "redevelopment areas" or "economic development centers" under the authority of section 401 or 403 of this Act: *Provided, however*, That this section shall not be construed as limiting such administrative discretion as may have been conferred under any other law.

SEC. 716. All financial and technical assistance authorized under this Act shall be in addition to any Federal assistance previously authorized, and no provision hereof shall be construed as authorizing or permitting any reduction or diminution in the proportional amount of Federal assistance to which any State or other entity eligible under this Act would otherwise be entitled under the provisions of any other Act.

Approved August 26, 1965.

Public Law 89-137

August 26, 1965
[H. R. 206]

AN ACT

To provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training.

Veteran-trainees. Subsistence allowance, increase. 72 Stat. 1172.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1504 of title 38, United States Code, is amended by deleting subsection (c) thereof, redesignating subsection "(d)" as "(c)" and by amending subsection (b) to read as follows:

"(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

"Column I	Column II	Column III	Column IV
Type of training	No dependents	One dependent	Two or more dependents
Full-time institutional training	$110	$150	$175
Institutional on-farm, apprentice or other on-job training	95	125	150

Where any trainee has more than two dependents and is not eligible to receive additional compensation as provided by section 315 or section 335 (whichever is applicable) of this title, the subsistence allowance prescribed in column IV of the foregoing table shall be increased by an additional $5 per month for each dependent in excess of two."

72 Stat. 1121; 74 Stat. 165.

(b) Section 315 of title 38, United States Code, is amended by deleting "(a)" and subsection (b) thereof.

(c) Any veteran-trainee receiving subsistence allowance on the date of the enactment of this Act while pursuing a course of vocational rehabilitation authorized by chapter 31 of title 38, United States Code, shall not have such allowance reduced by reason of the amendments contained in such Act.

38 USC 1501-1510.

Effective date.

SEC. 2. The foregoing provisions of this Act shall become effective on the first day of the second calendar month which begins following the date of enactment of this Act.

Approved August 26, 1965.

Public Law 89-138

AN ACT

August 26, 1965
[H. R. 208]

To amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized for blinded veterans by Public Law 87-591, and to clarify the language of the law relating to the limiting of periods for pursuing such training.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 31 of title 38, United States Code, is amended by adding after section 1502 thereof the following new section 1503:

Disabled veterans.
Vocational rehabilitation.
72 Stat. 1170.

"§ 1503. Periods of eligibility

"(a) Unless a longer period of eligibility is authorized pursuant to subsection (b) or (c) of this section, vocational rehabilitation may not be afforded to a veteran after nine years following his discharge or release; except vocational rehabilitation may be afforded to any person until—

"(1) August 20, 1963, if such person was discharged or released before August 20, 1954, or

"(2) October 15, 1971, if such person is eligible for vocational rehabilitation by reason of a disability arising from service before October 15, 1962, but either after World War II, and before the Korean conflict, or after the Korean conflict.

"(b) Where a veteran is prevented from entering, or having entered, from completing vocational rehabilitation training within the period of eligibility prescribed in subsection (a) of this section because—

"(1) he had not timely attained, retained, or regained medical feasibility for training because of disability;

"(2) he had not timely met the requirement of a discharge or release under conditions other than dishonorable, but the nature of such discharge or release was later changed by appropriate authority; or

"(3) he had not timely established the existence of a compensable service-connected disability,

such training may be afforded him during a period not to exceed four years beyond the period of eligibility otherwise applicable to him.

"(c) A veteran who is found to be in need of vocational rehabilitation to overcome the handicap of blindness, or other serious disability, resulting from a service-connected disability which affords basic eligibility for vocational rehabilitation under section 1502 of this title may be afforded such vocational rehabilitation after the termination date otherwise applicable to him, but not beyond ten years after such termination date, or June 30, 1975, whichever date is the later, if—

"(1) he had not previously been rehabilitated (that is, rendered employable) as the result of training furnished under this chapter, or

"(2) such serious disability (whether blindness or otherwise) has developed from, or as a result of, the worsening of his service-connected disability since he was declared rehabilitated to the extent that it precludes his performing the duties of the occupation for which he was previously trained under this chapter."

SEC. 2. Chapter 31 of title 38, United States Code, is further amended by—

(1) deleting in the table of sections at the head thereof:

"1502A. Blinded veterans"
"1503. Training and training facilities"

and inserting in lieu thereof:

"1503. Periods of eligibility"

and adding to the end of such table the following:

"1511. Training and training facilities".

72 Stat. 1171; 74 Stat. 820.

(2) deleting subsection (c) of section 1502 (except paragraph (4) thereof), and changing "(4)" immediately preceding "Vocational rehabilitation" in such section to "(c)";

76 Stat. 393.

(3) deleting section 1502A;

72 Stat. 1171.

(4) redesignating section 1503 "**Training and training facilities**" as section 1511 and transferring that section, as so redesignated, to the end of the chapter.

Exception.

SEC. 3. Any veteran entitled to vocational rehabilitation training under chapter 31 of title 38, United States Code, until July 25, 1965, pursuant to section 1502(c)(2) of such title, prior to the amendment made by this Act, shall continue to have the right to receive such training until such date, notwithstanding the amendments made by sections 1 and 2 hereof.

Approved August 26, 1965.

Public Law 89-139

August 28, 1965
[S. J. Res. 81]

JOINT RESOLUTION

To amend the Federal-Aid Highway Act of 1956 to increase the amount authorized for the Interstate System for the fiscal year ending June 30, 1967, to authorize the apportionment of such amount, and for other purposes.

Federal-Aid Highway Act of 1956, amendment.
75 Stat. 122.
23 USC 101 note.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended by striking out "the additional sum of $2,900,000,000 for the fiscal year ending June 30, 1967," and inserting in lieu thereof "the additional sum of $3,000,000,000 for the fiscal year ending June 30, 1967,".

Apportionment of funds.

SEC. 2. The Secretary of Commerce is authorized to make the apportionment for the fiscal year ending June 30, 1967, of the sum authorized to be appropriated for such year 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, but the Congress reserves the right to disapprove the cost estimate for completion of such National System submitted by the Secretary on January 11, 1965, and contained in such document.

Future highway needs.
Report to Congress.

SEC. 3. It is the sense of Congress that the Secretary of Commerce, acting under authority of existing law and through the Bureau of Public Roads, shall report to Congress in January, 1968, and in January of every second year thereafter, his estimates of the future highway needs of the Nation.

23 USC 101-134.

SEC. 4. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

"§ 135. Highway safety programs

"After December 31, 1967, each State should have a highway safety program, approved by the Secretary, designed to reduce traffic acci-

dents and deaths, injuries, and property damage resulting therefrom, on highways on the Federal-aid system. Such highway safety program should be in accordance with uniform standards approved by the Secretary and should include, but not be limited to, provisions for an effective accident records system, and measures calculated to improve driver performance, vehicle safety, highway design and maintenance, traffic control, and surveillance of traffic for detection and correction of high or potentially high accident locations."

(b) The analysis of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"135. Highway safety programs."

Approved August 28, 1965.

Public Law 89-140

AN ACT

August 28, 1965
[H. R. 7595]

To amend title 10, United States Code, to authorize transportation at Government expense for dependents accompanying members of the uniformed services at their posts of duty outside the United States, who require medical care not locally available.

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—

Uniformed services.
Dependent patients, transportation.
10 USC 1031-1039.

(1) by adding the following new section at the end thereof:

"§ 1040. Transportation of dependent patients

"(a) Except as provided in subsection (b), if a dependent accompanying a member of the uniformed services who is stationed outside the United States and who is on active duty for a period of more than thirty days requires medical attention which is not available in the locality, transportation of the dependents at the expense of the United States is authorized to the nearest appropriate medical facility in which adequate medical care is available. On his recovery or when it is administratively determined that the patient should be removed from the medical facility involved, the dependent may be transported at the expense of the United States to the duty station of the member or to such other place determined to be appropriate under the circumstances. If a dependent is unable to travel unattended, round-trip transportation and travel expenses may be furnished necessary attendants.

"(b) This section does not authorize transportation and travel expenses for a dependent for elective surgery which is determined to be not medically indicated by a medical authority designated under joint regulations to be prescribed under this section.

"(c) 'Dependent' and 'uniformed services' in this section have the meanings of those terms as defined in section 1072 of this title.

Definitions.
72 Stat. 1446.

"(d) Transportation and travel expenses authorized by this section shall be furnished in accordance with joint regulations to be prescribed by the Secretary of the Treasury, the Secretary of Defense, the Secretary of Commerce, and the Secretary of Health, Education, and Welfare, which shall require the use of transportation facilities of the United States insofar as practicable."; and

(2) by adding the following new item at the end of the analysis:

"1040. Transportation of dependent patients."

Approved August 28, 1965.

Public Law 89-141

August 28, 1965
[H. R. 6097]

AN ACT

To amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes.

President or Vice President assassination penalties.
62 Stat. 683.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18, United States Code, is amended by inserting immediately following section 1734 thereof, a new chapter, as follows:

"Chapter 84.—PRESIDENTIAL ASSASSINATION, KIDNAPING, AND ASSAULT

"§ 1751. Presidential assassination, kidnaping, and assault; penalties

"(a) Whoever kills any individual who is the President of the United States, the President-elect, the Vice President, or, if there is no Vice President, the officer next in the order of succession to the office of President of the United States, the Vice-President-elect, or any individual who is acting as President under the Constitution and laws of the United States, shall be punished as provided by sections 1111 and 1112 of this title.

62 Stat. 756.

"(b) Whoever kidnaps any individual designated in subsection (a) of this section shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

"(c) Whoever attempts to kill or kidnap any individual designated in subsection (a) of this section shall be punished by imprisonment for any term of years or for life.

"(d) If two or more persons conspire to kill or kidnap any individual designated in subsection (a) of this section and one or more of such persons do any act to effect the object of the conspiracy, each shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

"(e) Whoever assaults any person designated in subsection (a) of this section shall be fined not more than $10,000 or imprisoned not more than 10 years, or both.

Definitions.

"(f) The terms 'President-elect' and 'Vice-President-elect' as used in this section shall mean such persons as are the apparent successful candidates for the offices of President and Vice President, respectively, as ascertained from the results of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

62 Stat. 672.

"(g) The Attorney General of the United States, in his discretion, is authorized to pay an amount not to exceed $100,000 for information and services concerning a violation of this section. Any officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall not be eligible for payment under this subsection.

"(h) If Federal investigative or prosecutive jurisdiction is asserted for a violation of this section, such assertion shall suspend the exercise of jurisdiction by a State or local authority, under any applicable State or local law, until Federal action is terminated.

"(i) Violations of this section shall be investigated by the Federal Bureau of Investigation. Assistance may be requested from any Federal, State, or local agency, including the Army, Navy, and Air Force, any statute, rule, or regulation to the contrary notwithstanding."

SEC. 2. Subsection (c) of section 3486 of title 18, United States Code, is amended by inserting after the words "in any case or proceeding before any grand jury or court of the United States" the following: "involving any violation of section 1751 of title 18 of the United States Code, or". 68 Stat. 745.

SEC. 3. The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after

"83. Postal Service ..... 1691"

a new chapter reference as follows:

"84. Presidential assassination, kidnaping, and assault ..... 1751".

Approved August 28, 1965.

Public Law 89-142

JOINT RESOLUTION

August 28, 1965 [H. J. Res. 431]

Extending the duration of copyright protection in certain cases.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case in which the renewal term of copyright subsisting in any work on the date of approval of this resolution, or the term thereof as extended by Public Law 87-668, would expire prior to December 31, 1967, such term is hereby continued until December 31, 1967. Copyright terms. Extension. 76 Stat. 555. 17 USC 24 note.

Approved August 28, 1965.

Public Law 89-143

AN ACT

August 28, 1965 [H. R. 5034]

To amend section 2575(a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2575(a) of title 10, United States Code, is amended— Armed Forces. Unclaimed property, disposition. 70A Stat. 144.

(1) by changing the second sentence to read: "However, property may not be disposed of until diligent effort has been made to find the owner, his heirs or next of kin, or his legal representative.";

(2) by inserting "certified or" between "by" and "registered" in the third sentence; and

(3) by adding a new sentence at the end thereof to read: "When diligent effort to determine the owner, his heirs or next of kin, or his legal representatives is unsuccessful, the property may be disposed of without delay, except that if it has a fair market value of $25 or more the property may not be disposed of until three months after the date it is received at a storage point designated by the Secretary."

Approved August 28, 1965.

Public Law 89-144

August 28, 1965
[H. R. 546]

AN ACT

To authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp McCoy Military Reservation, Wisconsin.

Camp McCoy Military Reservation, Wis.

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 may, at such times as he may deem desirable, relinquish to the State of Wisconsin 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 Camp McCoy Military Reservation, Monroe County, Wisconsin, 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 Wisconsin a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Wisconsin in such manner as its laws may prescribe.

Approved August 28, 1965.

Public Law 89-145

August 28, 1965
[S. 1309]

AN ACT

To authorize checks to be drawn in favor of financial organizations for the credit of a person's account, under certain conditions.

Disbursing officers.
Payments to financial organizations, authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3620 of the Revised Statutes, as amended (31 U.S.C. 492), is amended—

(1) by inserting the designation "(a)" before the word "It" at the beginning thereof; and

(2) by adding the following new subsections at the end thereof:

"(b) Notwithstanding subsection (a) or any other provision of law, and under regulations to be prescribed by the Secretary of the Treasury, the head of an agency may, upon the written request of a person to whom a payment is to be made, authorize a disbursing officer to make the payment—

"(1) by sending to the financial organization designated by that person a check that is drawn in favor of that organization and for credit to the account of that person; or

"(2) if more than one person to whom a payment is to be made designates the same financial organization, by sending to the organization a check that is drawn in favor of the organization for the total amount due those persons and by specifying the amount to be credited to the account of each of those persons.

Definitions.

In this subsection, 'agency' means any department, agency, independent establishment, board, office, commission, or other establishment in the executive, legislative, or judicial branch, of the Government, any wholly owned or controlled Government corporation, and the municipal government of the District of Columbia; 'financial organization' means any bank, savings bank, savings and loan association or similar institution, or Federal or State chartered credit union.

"(c) Payment by the United States of a check, drawn in accordance with subsection (b) and properly endorsed, shall constitute a full acquittance for the amount due to the person requesting payment."

Approved August 28, 1965.

Public Law 89-146

AN ACT

August 28, 1965
[H. R. 2176]

To authorize the Secretary of the Interior to convey certain property to the county of Dare, State of North Carolina, and for other purposes.

Dare County, N. C.
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 is authorized to convey the tract of land and improvements thereon situate in the village of Hatteras, Dare County, North Carolina, and administered as a part of the Cape Hatteras National Seashore, formerly bearing General Services Administration excess property control number C-NC-444, comprising one and five-tenths acres, the exact description for which shall be determined by the Secretary, to the Board of Commissioners of Dare County, for purposes of providing thereon a public health facility: *Provided*, That title to the land and any improvements shall revert to the United States upon a finding and notification to the grantee by the Secretary that the property is used for purposes other than a public health facility. The conveyance herein authorized shall be without monetary consideration.

SEC. 2. Upon the transfer of title to the grantee, the property herein conveyed shall cease to be a part of the Cape Hatteras National Seashore.

Approved August 28, 1965.

Public Law 89-147

AN ACT

August 28, 1965
[H. R. 9947]

To amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes.

House of Representatives.
Transportation expenses, reimbursement.
72 Stat. 443; 77 Stat. 82.
Lump sum payment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph under the subheading "Administrative Provisions" under the heading "SENATE" in the Legislative Branch Appropriation Act, 1959 (2 U.S.C. 43b), is amended by striking out "two" where it last appears therein and inserting in lieu thereof "four".

SEC. 2. A Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) may elect to receive in any year, in lieu of reimbursement of transportation expenses for such year as authorized by the last paragraph under the subheading "Administrative Provisions" under the heading "SENATE" in the Legislative Branch Appropriation Act, 1959 (2 U.S.C. 43b), a lump sum transportation payment of $300 for such year. The Committee on House Administration of the House of Representatives shall make such rules and regulations as may be necessary to carry out this section.

Members' employees.

SEC. 3. The contingent fund of the House of Representatives is made available after the date of enactment of this Act for reimbursement of transportation expenses incurred by not to exceed two employees in the office of a Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) for one round trip each, or incurred by not to exceed one employee for two round trips, in any calendar year between Washington, District of Columbia, and the place of residence of the Member representing the congressional district involved. Such payment shall be made only upon vouchers approved by the Member containing a certification by him that such travel was

performed in line of official duty, but the mileage allowed for any such trip shall not exceed the round trip mileage by the nearest usual route between Washington, District of Columbia, and the Member's place of residence in the congressional district involved. The Committee on House Administration of the House of Representatives shall make such rules and regulations as may be necessary to carry out this section.

Repeal.

74 Stat. 461.

SEC. 4. The second paragraph of section 105(c) of the Legislative Branch Appropriation Act, 1961 (Public Law 86-628; 2 U.S.C. 43c), is hereby repealed.

Approved August 28, 1965.

Public Law 89-148

August 28, 1965
[H. R. 3320]

AN ACT

To authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes.

Hubbell Trading Post National Historic Site, Ariz.
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 the Hubbell Trading Post National Historic Site, the Secretary of the Interior is authorized to purchase with donated funds or funds appropriated for the purpose, at a price to be agreed upon between the Secretary and the owner or owners, not to exceed the fair market value, the site and remaining structures of the Hubbell Trading Post at Ganado, Arizona, including the contents of cultural and historical value, together with such additional land and interests in land as in his discretion are needed to preserve and protect the post and its invirons for the benefit and enjoyment of the public: *Provided*, That the total area so acquired shall not exceed one hundred and sixty acres: *Provided further*, That the amount of land retained for the purpose hereinbefore stated shall not be in excess of that amount of land reasonably required to carry out the purposes of this Act, and any excess land, together with water rights, shall be offered for sale to the Navajo Indian Tribe at a price per acre equal to the per-acre price paid for the total area, excluding structures and contents thereof.

Administration.

SEC. 2. Upon a determination by the Secretary of the Interior that sufficient land, structures, and other property have been acquired by the United States for the national historic site, as provided in section 1 of this Act, such property shall be established as the Hubbell Trading Post National Historic Site, and thereafter shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended. An order of the Secretary, constituting notice of such establishment, shall be published in the Federal Register.

16 USC 1-4.
Publication in Federal Register.

Appropriation.

SEC. 3. There are hereby authorized to be appropriated not more than $952,000 for the acquisition of lands and interests in land and the contents of the Hubbell Trading Post which are of cultural and historical value and for development costs in connection with the national historic site as provided in this Act.

Approved August 28, 1965.

Public Law 89-149

AN ACT

August 28, 1965
[H. R. 3044]

To authorize payment of incentive pay for the performance of hazardous duty on the flight deck of an aircraft carrier.

Uniformed services.
Hazardous duty, incentive pay.
76 Stat. 461.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301(a) of title 37, United States Code, is amended—

(1) by striking out the word "or" at the end of clause (10);

(2) by striking out the period at the end of clause (11) and inserting a semicolon and the word "or" in place thereof; and

(3) by adding the following new clause at the end thereof:

"(12) involving frequent and regular participation in flight operations on the flight deck of an aircraft carrier."

SEC. 2. Section 301(c) of title 37, United States Code, is amended by striking out the words "or (11)" and inserting the words "(11), or (12)" in place thereof.

SEC. 3. Section 301(f) of title 37, United States Code, is amended by striking out the words "subsection (a)(1)-(11)" and inserting the words "subsection (a)(1)-(12)" in place thereof.

Approved August 28, 1965.

Public Law 89-150

AN ACT

August 28, 1965
[H. R. 3037]

To amend section 1485 of title 10, United States Code, relating to the transportation of remains of deceased dependents of members of the armed forces, and for other purposes.

Armed Forces.
Deceased dependents.
70A Stat. 114.

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) The catchline and subsection (a) of section 1485 are amended to read as follows:

"§ 1485. Dependents of members of armed forces

"(a) The Secretary concerned may, if a dependent of a member of an armed force dies while the member is on active duty (other than for training), provide for, and pay the necessary expenses of, transporting the remains of the deceased dependent to the home of the decedent or to any other place that the Secretary determines to be the appropriate place of interment."

10 USC 1475-1488.

(2) The analysis of chapter 75 is amended by striking out the following item:

"1485. Dependents of members of armed forces; death while outside the United States."

and inserting the following item in place thereof:

"1485. Dependents of members of armed forces."

Approved August 28, 1965.

Public Law 89-151

August 28, 1965
[H. R. 7843]

AN ACT

To amend titles 10 and 37, United States Code, to authorize the survivors of a member of the armed forces who dies while on active duty to be paid for his unused accrued leave.

Armed Forces. Unused leave, payment to survivors.
76 Stat. 480.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (1) of section 501(a) of title 37, United States Code, is amended to read as follows:

"(1) 'Discharge' means—

"(A) in the case of an enlisted member, separation or release from active duty under honorable conditions or appointment as an officer;

"(B) in the case of an officer, separation or release from active duty under honorable conditions; and

"(C) in the case of either an officer or an enlisted member, death while on active duty unless the decedent was put to death as lawful punishment for a crime or a military offense;".

SEC. 2. Section 501(d) of title 37, United States Code, is amended to read as follows:

"(d) Payments for unused accrued leave under subsections (b) and (g) of this section, in the case of a member who dies while on active duty or in the case of a member or former member who dies after retirement or discharge and before he receives that payment, shall be made in accordance with section 2771 of title 10. In the case of a member who dies while on active duty, payment for unused accrued leave under subsections (b) and (g) of this section shall be based upon the unused accrued leave the member carried forward into the leave year during which he died plus the unusued leave that accrued to him during that leave year. However, the number of days upon which the payment is based may not be more than sixty."

72 Stat. 1461.

Repeal.
76 Stat. 492.

SEC. 3. Section 701(d) of title 10, United States Code, is repealed.

Applicability.

SEC. 4. This Act applies only in the case of members who die on or after the date of enactment.

Approved August 28, 1965.

Public Law 89-152

August 30, 1965
[H. R. 10306]

AN ACT

To amend the Universal Military Training and Service Act of 1951, as amended.

Armed Forces. Draft cards, destruction, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Universal Military Training and Service Act, as amended, is hereby further amended as follows:

62 Stat. 622.
50 USC app. 462.

SECTION 1. Section 12(b)(3) is amended to read as follows:

"(3) who forges, alters, knowingly destroys, knowingly mutilates, or in any manner changes any such certificate or any notation duly and validly inscribed thereon; or".

Approved August 30, 1965.

Public Law 89-153

JOINT RESOLUTION

August 31, 1965
[H. J. Res. 95]

To designate the lake to be formed by the waters impounded by Sanford Dam, Canadian River project, Texas, as "Lake Meredith".

Lake Meredith, Tex., designation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake to be formed by the waters impounded by Sanford Dam, Canadian River project, Texas, shall hereafter be known as "Lake Meredith" in honor of A. A. Meredith. Any law, regulation, document, or record of the United States in which such lake is designated or referred to shall be held to refer to such lake as "Lake Meredith".

Approved August 31, 1965.

Public Law 89-154

AN ACT

August 31, 1965
[H. R. 881]

To authorize the establishment of the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument.

Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument, Tex.
Establishment.

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 designate, acquire and administer as a national monument lands and interests in lands comprising the Alibates Flint Quarries and the Texas Panhandle Pueblo Culture sites, together with any structures and improvements thereon, located in and around Potter County, Texas.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be set aside as a national monument for the benefit and enjoyment of the people of the United States and shall be designated as the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument. The Secretary of the Interior shall administer, protect, and develop such monument, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, 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, as amended.

39 Stat. 535.
16 USC 1 *et seq.*

49 Stat. 666.
16 USC 461-467.

(b) In order to provide for the proper development and maintenance of such national monuments, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

Appropriation.

SEC. 3. There is hereby authorized to be appropriated not to exceed $5,000 for the acquisition of land and not to exceed $260,000 for the development of the area.

Approved August 31, 1965.

Public Law 89-155

August 31, 1965
[H. R. 7181]

AN ACT

To provide for the commemoration of certain historical events in the State of Kansas, and for other purposes.

Commemoration of historical sites, Kans.

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 take appropriate action in accordance with section 2, subsection (g), of the Act of August 21, 1935 (49 Stat. 666, 16 U.S.C. 462), and as hereinafter provided, to commemorate and to mark the sites of certain historical events and the strife that occurred in the State of Kansas prior to and during the period May 30, 1854, to April 12, 1861, and during the Civil War.

SEC. 2. The sites to be marked pursuant to the first section of this Act are particularly those of major historical events in the struggle, commonly termed "Bleeding Kansas", which was significant in leading to the start of the Civil War and of major events in that war. These sites include, without being limited to:

(1) Fort Scott, in the city of Fort Scott, Bourbon County;

(2) sites associated with John Brown in Osawatomie, Miami County;

(3) the Mine Creek Battlefield, in Linn County;

(4) the Marais des Cygnes massacre in Linn County; and

(5) the site of Quantrell's raid at Baxter Springs, in Cherokee County.

The Secretary is further authorized to provide such information and services respecting the sites that are so marked and the events that are so commemorated as will enhance public understanding of their significance and of their relations to each other and to the history of the Nation. Before any site is marked, the owner of the property in question shall have executed an agreement, satisfactory in form and content to the Secretary, on behalf of himself and his successors in interest, to maintain the marker in suitable condition and to allow reasonable public access to the site so marked.

SEC. 3. In order further to commemorate Fort Scott and to promote its preservation as a site of national historic significance, the Secretary is also authorized to render the city of Fort Scott such assistance, in the form of technical advice, grants of funds for land acquisition and development, and other help necessary to display the fort to the public in appropriate fashion: *Provided*, That before any such assistance is rendered by the Secretary, the city of Fort Scott shall have agreed that the site will be operated and maintained as a public historic site.

Appropriation.

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than $805,700, as may be necessary for land acquisition, land site rehabilitation and development, and the marking of historic sites pursuant to the provisions of this Act.

Approved August 31, 1965.

Public Law 89-156

AN ACT

August 31, 1965
[H. R. 7765]

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, 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, for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1966, and for other purposes, namely:

Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1966.

TITLE I—DEPARTMENT OF LABOR

MANPOWER ADMINISTRATION

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, $7,794,000.

MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

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), $273,500,000.

76 Stat. 23.

BUREAU OF APPRENTICESHIP AND TRAINING, SALARIES AND EXPENSES

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, $6,665,000.

37 Stat. 736; 50 Stat. 664.

BUREAU OF EMPLOYMENT SECURITY, 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; and administration of the Farm Labor Contractor Registration Act of 1963; $2,160,000, together with not to exceed $15,434,000 which may be expended from the employment security administration account in the Unemployment trust fund, of which $1,708,000 shall be for carrying into effect the provisions of title IV (except section 602) of the Servicemen's Readjustment Act of 1944.

78 Stat. 920. 7 USC 2041 note.

58 Stat. 293; 72 Stat. 1273.

ADVANCES FOR EMPLOYMENT SERVICES

For advances to the account "Grants to States for Unemployment Compensation and Employment Service Administration" for employment services, $10,000,000, to be in addition to amounts otherwise available in that account and to be repaid as may be hereafter provided by law.

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), $492,100,000 may be expended from the employment security administration account in the Unemployment trust fund, and of which $10,000,000 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.

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, $131,000,000, 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.

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.

LABOR-MANAGEMENT RELATIONS

LABOR-MANAGEMENT SERVICES ADMINISTRATION, SALARIES AND EXPENSES

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, $8,580,000.

72 Stat. 997.
29 USC 301 note.
73 Stat. 519.
29 USC 401 note.

WAGE AND LABOR STANDARDS

BUREAU OF LABOR STANDARDS, SALARIES AND EXPENSES

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 $387,000 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); $3,242,500: *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; including purchase of reports and of material for informational exhibits.

63 Stat. 865.
33 USC 941.

WOMEN'S BUREAU, SALARIES AND EXPENSES

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, $860,000.

41 Stat. 987.

WAGE AND HOUR DIVISION, SALARIES AND EXPENSES

For expenses necessary for performing the duties imposed by the Fair Labor Standards Act of 1938, as amended, 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, $20,905,000.

52 Stat. 1060.
29 USC 201.
49 Stat. 2036.

BUREAU OF EMPLOYEES COMPENSATION, SALARIES AND EXPENSES

For necessary administrative expenses, $4,495,000, together with not to exceed $63,000 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).

44 Stat. 1444.

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); $48,530,000, 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.

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, $19,726,000.

BUREAU OF INTERNATIONAL LABOR AFFAIRS

SALARIES AND EXPENSES

For expenses necessary for the conduct of international labor affairs, $1,204,000.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For expenses necessary for the Office of the Solicitor, $5,401,000, together with not to exceed $136,000 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, $3,545,000, together with not to exceed $140,000 to be derived from the Employment Security Administration account, Unemployment Trust Fund.

Citation of title.

This title may be cited as the "Department of Labor Appropriation Act, 1966"

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; 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; $50,352,000.

BUILDINGS AND FACILITIES

For construction, alteration, and equipment of facilities, including acquisition of sites, and planning, architectural, and engineering services, $5,720,000, to remain available until expended.

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), and the Vocational Education Act of 1963 (20 U.S.C. 35–35n); $252,491,000, 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, $25,000,000 shall be for work-study programs under section 13 of the Vocational Education Act of 1963, and $177,500,000 shall be for vocational education programs under section 4 of the Vocational Education Act of 1963.

46 Stat. 1489.
64 Stat. 27.
70 Stat. 909.
76 Stat. 586.
77 Stat. 403.

HIGHER EDUCATION FACILITIES CONSTRUCTION

For grants, loans, and payments under the Higher Education Facilities Act of 1963, $632,700,000, of which not to exceed $460,000,000 shall be for grants for construction of academic facilities under title I including not to exceed $2,000,000 for the purpose authorized in section 105; $60,000,000 shall be for grants for construction of graduate academic facilities under title II; and $110,000,000 shall be for loans for construction of academic facilities under title III.

77 Stat. 363.
20 USC 701 note.

FURTHER ENDOWMENT OF COLLEGES OF AGRICULTURE AND THE MECHANIC ARTS

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.

74 Stat. 525.

GRANTS FOR PUBLIC LIBRARIES

70 Stat. 293; 78 Stat. 11.

For grants to the States, pursuant to the Act of June 19, 1956, as amended (20 U.S.C. 351-358; Public Law 88-269), $55,000,000, of which $25,000,000 shall be for grants for public library services under title I of such Act, and $30,000,000 shall be for grants for public library construction under title II of such Act.

PAYMENTS TO SCHOOL DISTRICTS

64 Stat. 1100. 20 USC 236-245.

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), $347,000,000: *Provided*, That this appropriation shall also be available for carrying out the provisions of section 6 of such Act.

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 $708,000 for necessary expenses during the current fiscal year of technical services rendered by other agencies, $50,078,000, 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, 1965, shall receive priority over applications filed after such date.

DEFENSE EDUCATIONAL ACTIVITIES

72 Stat. 1580; 78 Stat. 1100. 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), $412,608,000, of which $180,900,000 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 $1,600,000 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 $10,800,000 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.

75 Stat. 594.

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.

72 Stat. 1583; 78 Stat. 1100. 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), $21,500,000.

72 Stat. 1777.

77 Stat. 295. 20 USC 618.

COOPERATIVE RESEARCH

For cooperative research, surveys, and demonstrations in education as authorized by the Act of July 26, 1954 (20 U.S.C. 331-332), $25,000,000.

68 Stat. 533.

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), $2,000,000.

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; $22,562,000.

VOCATIONAL REHABILITATION ADMINISTRATION

GRANTS TO STATES

For grants to States in accordance with the Vocational Rehabilitation Act, as amended, $124,000,000, of which $121,000,000 is for vocational rehabilitation services under section 2 of said Act; and $3,000,000 is for extension and improvement projects under section 3 of said Act: *Provided*, That allotments under section 2 of said Act to the States for the current fiscal year shall be made on the basis of $200,000,000, and this amount shall be considered the sum available for allotments under such section for such fiscal year: *Provided further*, That additional allotments, not exceeding $1,400,000 in the aggregate, for grants under section 2 of said Act may be made, in accordance with regulations of the Secretary, to States in which the

68 Stat. 652. 29 USC 31 note.

Federal share of the costs of rehabilitation services under such section exceeds their respective allotments from such $200,000,000: *Provided further*, That the Secretary shall, within the limits of such allotments or additional allotments for grants under section 2 of said 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 said Act shall be not less than $15,000.

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.
29 USC 32, 33.

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), $46,045,000.

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, $2,000,000, 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.

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the Vocational Rehabilitation Administration, $3,415,000.

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

58 Stat. 682.
42 USC 201 note.

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, in amounts not to exceed an average of $455 per student, 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 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, $8,977,000, to remain available until expended: *Provided*, That the unobligated balances of appropriations heretofore made available to the National Cancer Institute and the National Heart Institute for plans and specifications for research facilities, shall be merged with this appropriation as of June 30, 1965.

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, $4,350,000.

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 $67,453,000, of which $12,300,000 shall be available only for such allotments and payments to States under section 314(c) of the Act.

42 USC 241, 243, 246, 247a, 282, 283.

COMMUNICABLE DISEASE ACTIVITIES

To carry out, except as otherwise provided for, those provisions of sections 301, 311, 314(c), and 361 of the Act relating to the prevention and suppression of communicable and preventable diseases, and the interstate transmission and spread thereof, including the purchase of not to exceed four passenger motor vehicles, of which one shall be for replacement only; hire, maintenance, and operation of aircraft; $31,497,000.

COMMUNITY HEALTH PRACTICE AND RESEARCH

42 USC 241, 242d, 242g, 243, 246, 292, 296.
3 CFR 1959-1963 Comp., p. 691.

To carry out, to the extent not otherwise provided, sections 301, 306, 309, 311, 314(c), title VII and title VIII of the Act, Executive Order 11074 of January 8, 1963, $55,482,000.

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, part C 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 such section for this purpose for the next succeeding fiscal year.

CONTROL OF TUBERCULOSIS

To carry out the purposes of section 314(b) of the Act, $15,666,000, of which $9,700,000 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; $10,392,000.

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, $8,383,000.

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, $19,575,000.

42 USC 241, 243.

78 Stat. 908.
42 USC 296-298b.

Grants and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, grants and payments 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

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), $303,304,000, of which $160,000,000 shall be 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 for grants or loans for facilities pursuant to section 601(a) of the Public Health Service Act, and of which $1,500,000 shall be available until expended, without regard to any other requirements, for payment of not to exceed 66⅔ per centum of the cost of construction of a multiservice facility for the physically and mentally handicapped, $5,000,000 shall be for special project grants pursuant to section 318 of the Public Health Service Act, $12,568,000 (including not to exceed $6,900,000 for experimental hospital construction) 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, and $12,500,000 shall be for grants for facilities pursuant to part C of the Mental Retardation Facilities Construction Act: *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: *Provided further*, That funds made available for the purposes authorized in section 624 of the Act shall not be used to pay in excess of two-thirds of the cost of any experimental or demonstration construction or equipment project to which section 3(b)(4) of the Hospital and Medical Facilities Amendments of 1964 applies.

77 Stat. 284.

77 Stat. 290.

78 Stat. 448.
42 USC 291a.

78 Stat. 447.
42 USC 247c.

78 Stat. 462.
42 USC 291 note.

CONSTRUCTION OF HEALTH EDUCATIONAL FACILITIES

To carry out part B of title VII and part A of title VIII of the Act, $90,599,000, of which $45,000,000 is for grants to assist in construction of new teaching facilities pursuant to paragraph (1) of section 720 of the Act, $15,000,000 is for grants to assist in construction of new teaching facilities for dentists pursuant to paragraph (2) of section 720, $15,000,000 is for grants for replacement or rehabilitation of existing teaching facilities pursuant to paragraph (3) of section 720, $5,000,000 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 $10,000,000 is for grants to assist in con-

42 USC 293.

struction 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.

78 Stat. 908.
42 USC 296.

ENVIRONMENTAL HEALTH SCIENCES

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, $15,983,000.

42 USC 241, 243, 246.

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, $26,037,000.

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, $9,842,000.

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, $5,857,000.

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; and hire, maintenance, and operation of aircraft; $21,044,000, 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.

WATER SUPPLY AND WATER POLLUTION CONTROL

To carry out sections 301, 311, and 361 of the Act with respect to water supply and water pollution control, and to carry out the Federal Water Pollution Control Act, as amended (33 U.S.C. 466–466d, 466f–466k), $44,514,000, including $4,700,000 for grants to States and $300,000 for grants to interstate agencies under section 5 of the Federal Water Pollution Control Act, as amended.

70 Stat. 498.

GRANTS FOR WASTE TREATMENT WORKS CONSTRUCTION

For payments under section 6 of the Water Pollution Control Act, as amended (33 U.S.C. 466e), $91,000,000: *Provided*, That allotments under such section 6 for the current fiscal year shall be made on the basis of $100,000,000: *Provided further*, That none of the sums allotted to a State shall remain available for obligation after December 31, 1966.

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 at 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; $58,210,000, 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.

60 Stat. 903.

42 USC 241 *et seq.*, 220, 222.
77 Stat. 83.
42 USC 253a.
68 Stat. A74; 69 Stat. 76.
3 CFR 1943 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, $7,311,000.

GENERAL RESEARCH AND SERVICES, NATIONAL INSTITUTES OF HEALTH

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; $60,469,000: *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 eleven passenger motor vehicles, of which ten shall be for replacement only; and not to exceed $2,500 for entertainment of visiting scientists when specifically approved by the Surgeon General: *Provided further*, That all appropriations made to the Public Health Service in this Act, and available for research or training projects, may be expended pursuant to contracts made on a cost or other basis for supplies and services, including indemnification of contractors to the extent and subject to the limitations provided in title 10, United States Code, section 2354, except that approval and certification required thereby shall be by the Surgeon General.

70A Stat. 134.

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, $122,638,000.

BIOLOGICS STANDARDS

To carry out sections 351 and 352 of the Act pertaining to regulation and preparation of biological products, and conduct of research related thereto, $6,806,000.

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, $55,024,000.

NATIONAL CANCER INSTITUTE

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; $158,618,000.

42 USC 281-286.

NATIONAL INSTITUTE OF MENTAL HEALTH

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), $212,469,000.

42 USC 241 et seq.

77 Stat. 290.

CONSTRUCTION OF COMMUNITY MENTAL HEALTH CENTERS

For grants pursuant to the Community Mental Health Centers Act, $50,000,000: *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.

42 USC 2672.

NATIONAL HEART INSTITUTE

For expenses, not otherwise provided for, necessary to carry out the purposes of the National Heart Act, $136,412,000.

62 Stat. 464.
42 USC 287 note.

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, $23,677,000.

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, $123,203,000.

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, $77,987,000, of which $350,000 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, $95,653,000.

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 $45,200,000: *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.

GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES

For grants pursuant to parts A and D of title VII of the Act, $56,000,000.

70 Stat. 717; 77 Stat. 164, 282. 42 USC 292-292j, 295-295d.

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, $5,000,000, 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, $7,230,000.

42 USC 241 *et seq.*

NATIONAL LIBRARY OF MEDICINE

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), $5,510,000.

70 Stat. 960.

RETIRED PAY OF COMMISSIONED OFFICERS

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.

10 USC 1431-1446.

70 Stat. 250; 72 Stat. 1445, 1569.

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, $6,648,000.

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 $29,886,000.

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, $1,977,000, to remain available until expended.

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON SALARIES AND EXPENSES

70 Stat. 822.

For necessary expenses, not more than $355,092,000 may be expended as authorized by law (42 U.S.C. 401(g)(1)) from either or both the Federal old-age and survivors insurance trust fund and the Federal disability insurance trust fund: *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 $10,000,000 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 after maximum absorption of the costs of such workload within the existing limitation has been achieved: *Provided further*, That the amount otherwise required to be paid from the Old-Age and Survivors Insurance Trust Fund into the Treasury as reimbursement for expenditures from the general fund (42 U.S.C. 401(g)(1)) for the fiscal year ending June 30, 1966, shall be reduced by $8,053,000 to cover the cost of issuance by the Social Security Administration of account numbers for income tax control purposes.

42 USC 421.

Advances to States, next succeeding fiscal year: For making, after May 31 of the current fiscal year, advances to States under section 221(e) of the Social Security Act, as amended, for the first quarter of the next succeeding fiscal year, such sums as may be necessary from the above authorization may be expended from the Federal old-age and survivors insurance trust fund.

LIMITATION ON CONSTRUCTION

For construction, alterations and equipment of facilities, including acquisition of sites, and planning, architectural, and engineering services, $11,860,000 may be expended from either or both the Federal Old-Age and Survivors Insurance trust fund and the Federal Disability Insurance trust fund, to remain available until expended.

WELFARE ADMINISTRATION

GRANTS TO STATES FOR PUBLIC ASSISTANCE

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

For grants to States for old-age assistance, medical assistance for the aged, 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, and XVI of the Social Security Act, as amended (42 U.S.C. ch. 7, subchs. I, IV, X, XIV, and XVI), $3,000,000,000, 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.

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), $332,000.

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, $6,081,000.

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), $162,000,000 of which $40,000,000 shall be available for maternal and child-health services under part 1, $40,000,000 for services for crippled children under part 2, $40,000,000 (of which $7,000,000 shall be for allotment for day care pursuant to section 527 of such Act) for child welfare services under part 3 (other than section 526), $8,000,000 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, and $4,000,000 for research projects relating to maternal and child health and crippled children's services under section 532 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, 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 701-731.

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, $4,494,000: *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.

JUVENILE DELINQUENCY AND YOUTH OFFENSES

For grants and contracts for demonstration, 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, $6,750,000, 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.

OFFICE OF AGING, SALARIES AND EXPENSES

For expenses necessary for the Office of Aging, $500,000.

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), $1,882,000.

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, $1,200,000, 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, $1,175,000.

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, and XVI, 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.

In the administration of titles, I, IV, V, X, XIV, and XVI, 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.

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), $1,000,000.

20 Stat. 468.

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; $4,624,000: *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), $2,277,000: *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): *Provided further*, That the tuition rate for the current school year shall not exceed the rate for the preceding school year.

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, $384,000, 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, $10,982,000.

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, $2,920,000, to remain available until expended.

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For expenses necessary for the Office of the Secretary, $3,570,000, together with not to exceed $483,000 to be transferred from the Federal old-age and survivors insurance trust fund.

OFFICE OF AUDIT, SALARIES AND EXPENSES

For expenses necessary for the Office of Audit, $3,313,000, together with not to exceed $510,000 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, $1,772,000 together with not to exceed $1,293,000 to be transferred from the Federal old-age and survivors insurance trust fund and not to exceed $33,000 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, $1,053,000.

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, $1,435,000, 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 $850,000 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, $8,826,000 of which not to exceed $300,000 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, limitation.

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.

Research grants. Availability of funds.
58 Stat. 682.
42 USC 201 note.

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.

Use of funds, restriction.

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.

Funds subject to audit.

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 1965.

Additional positions, restriction.

This title may be cited as the Department of Health, Education, and Welfare Appropriation Act, 1966.

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, $28,165,000: *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), $2,050,000.

44 Stat. 577; 49 Stat. 1189.

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), $16,558,000.

54 Stat. 1014; 60 Stat. 729.

LIMITATION ON SALARIES AND EXPENSES

For expenses necessary for the Railroad Retirement Board, including the purchase (for replacement only and at a cost not to exceed $3,000) of one passenger motor vehicle, $10,650,000 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; $6,610,000.

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

LIMITATION ON OPERATION AND MAINTENANCE AND CAPITAL OUTLAY

For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, $7,076,000: *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.

TITLE IX—FEDERAL RADIATION COUNCIL

SALARIES AND EXPENSES

For expenses necessary for the Federal Radiation Council, $166,000.

TITLE X—GENERAL PROVISIONS

Experts or consultants.

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).

60 Stat. 810.

Uniform allowances.

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).

68 Stat. 1114.

Attendance at meetings.

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.

Official reception expenses.

SEC. 1004. The Secretary of Labor and the Secretary of Health, Education, and Welfare, are each authorized to make available not to exceed $5,000 from funds available for salaries and expenses under titles I and II, respectively, for official reception and representation expenses.

Restriction.

78 Stat. 508.

42 USC 2701 note.

SEC. 1005. None of the funds contained in this Act shall be used for implementing any provision of the Economic Opportunity Act of 1964.

Short title.

This Act may be cited as the "Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1966".

Approved August 31, 1965.

Public Law 89-157

AN ACT

August 31, 1965 [H. R. 7596]

To amend title 10, United States Code, to remove inequities in the active duty promotion opportunity of certain Air Force officers.

Air Force. Officer promotions.

70A Stat. 498.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the period July 1, 1965, through June 30, 1966, the table in section 8202(a) of title 10, United States Code, as it relates to colonels and lieutenant colonels, is suspended. For this period the authorized strengths of the Air Force in officers on active duty in the grades of colonel and lieutenant colonel, exclusive of officers on active duty for training only and officers serving with other departments or agencies on a reimbursable basis, may not exceed 6,300 and 15,901, respectively.

Approved August 31, 1965.

Public Law 89-158

September 1, 1965
[H.R. 89]

AN ACT

To authorize establishment of the Delaware Water Gap National Recreation Area, and for other purposes.

Delaware Water Gap National Recreation Area. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to further the purposes of the joint resolution approved September 27, 1961 (re Delaware River Basin compact; 75 Stat. 688), and to provide, in a manner coordinated with the other purposes of the Tocks Island Reservoir project, for public outdoor recreation use and enjoyment of the proposed Tocks Island Reservoir and lands adjacent thereto 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, the Secretary of the Interior is authorized, as herein provided, to establish and administer the Delaware Water Gap National Recreation Area, hereinafter referred to as the "area", as part of the Tocks Island Reservoir project, hereinafter referred to as "the project".

Land acquisition authorization.

SEC. 2. (a) The Secretary of the Army is authorized and directed to acquire, by such means as he may deem to be in the public interest, and as a part of his acquisition of properties for the project, lands and interests therein within the boundaries of the area, as generally depicted on the drawing entitled "Proposed Tocks Island National Recreation Area" dated and numbered September 1962, NRA-TI-7100, which drawing is on file in the Office of the National Park Service, Department of the Interior. In acquiring these lands, the Secretary of the Army may utilize such statutory authorities as are available to him for the acquisition of project lands: *Provided*, That the Secretary of the Army shall acquire no lands or interests in land by exchange for lands or interests in land in Federal ownership unless the latter are in the States of Pennsylvania, New Jersey, or New York. Periodically, and as soon as practicable after such lands and interests within the area are acquired, the Secretary of the Army shall transfer jurisdiction thereover to the Secretary of the Interior for the purposes of this Act.

(b) Notwithstanding the provisions of subsection (a) of this section, the Secretary of the Interior is authorized, after consultation with appropriate public officials of the affected political subdivisions of the States of Pennsylvania or New Jersey, as the case may be, to designate not more than three hundred acres adjacent and contiguous to the Borough of Milford, Pennsylvania, and not more than one thousand acres in Sussex County, New Jersey, for omission from the Delaware Valley National Recreation Area and the lands so designated shall not be acquired for said national recreation area under authority of this Act.

Report to the President and Congress.

(c) The Secretary of the Interior shall investigate, study, and report to the President and the Congress on the feasibility and usefulness of extending the boundaries of the Delaware Water Gap National Recreation Area to include, in whole or in part, that portion of Tocks Island Reservoir which lies upstream from the northern terminus of the national recreation area as shown on the map hereinbefore referred to and lands adjacent to said portion of said reservoir. No such extension of boundaries, however, shall be made until authorized by Act of Congress.

Noncommercial residential occupancy.

(d) The beneficial owner, not being a corporation, of a freehold interest acquired before January 1, 1965, in improved residential property within the area to be acquired by the Secretary of the Army under authority of this Act, the continued use of which property for noncommercial residential purposes for a limited time will not, in the judgment of the Secretary of the Interior, unduly interfere with the development of public-use facilities for the national recreation area

and will not, in the judgment of the Secretary of the Army, unduly interfere with the operation of the Tocks Island Reservoir project, may retain a right of use and occupancy of such property for noncommercial residential purposes for, as said owner may elect, either (i) a period terminating upon his death or the death of his spouse, whichever occurs later, or (ii) a term of not more than twenty-five years: *Provided*, That in no case shall the period or term for which such right of use and occupancy is retained extend beyond the term of the freehold interest acquired by the United States. The price payable to the owner of such property shall be reduced by an amount equal to the value of the right retained. As used in this Act "improved residential property" means a single-family year-round dwelling, the construction of which was begun before January 21, 1963, which dwelling serves as the owner's permanent place of abode at the time of its acquisition by the United States, together with not more than three acres of land on which the dwelling and appurtenant buildings are located which land the Secretary of the Interior or the Secretary of the Army, as the case may be, finds is reasonably necessary for the owner's continued use and occupancy of the dwelling.

"Improved residential property."

SEC. 3. (a) As soon as practicable after the date of enactment of this Act and following the transfer to the Secretary of the Interior by the Secretary of the Army of jurisdiction over those lands and interests therein within the boundary generally depicted on the drawing described in section 2 hereof which, in the opinion of the Secretary of the Interior, constitute an efficiently administrable unit, the Secretary of the Interior shall declare establishment of the area by publication of notice thereof in the Federal Register. Such notice shall contain a detailed description of the boundaries of the area which shall encompass, to the extent practicable, the lands and waters shown on said drawing. Prior to such establishment, the Secretary of the Interior shall administer such transferred lands and waters, consistent with the construction of the project, for purposes in contemplation of the establishment of the area pursuant to this Act.

Publication in the Federal Register.

(b) The Secretary of the Interior may subsequently make adjustments in the boundary of the area by publication of the amended description thereof in the Federal Register and acquire, by such means as he may deem to be in the public interest, including an exchange of excluded for included lands or interests therein with or without the payment or receipt of money to equalize values, additional lands and interests therein included in the area by reason of the boundary adjustment: *Provided*, That the area encompassed by such revised boundary shall not exceed the acreage included within the detailed boundary first described pursuant to this section.

Boundary adjustments, publication in Federal Register.

(c) On lands acquired pursuant to this Act for recreation purposes, the Secretary of the Army, with the concurrence of the Secretary of the Interior, may permit the continuance of existing uses consistent with the purposes of this Act.

SEC. 4. In the administration of the area for the purposes of this Act, the Secretary of the Interior may utilize such statutory authorities relating to areas of the national park system and such statutory authorities otherwise available to him for the conservation, management, or disposal of vegetative, mineral, or fish or wildlife resources as he deems appropriate to carry out the purposes of this Act. To assure consistent and effective planning, development, and operation for all purposes of the project, the Secretary of the Interior and the Secretary of the Army shall coordinate the administration of their respective responsibilities in the project; and such administration shall be consistent with the joint resolution approved September 27, 1961 (re Delaware River Basin compact; 75 Stat. 688).

SEC. 5. In the administration of the area for the purposes of this Act, the Secretary of the Interior, subject to provisions of section 4 hereof, shall adopt and implement, and may from time to time revise, a land and water use management plan, which shall include specific provision for, in order of priority—

(1) public outdoor recreation benefits;

(2) preservation of scenic, scientific, and historic features contributing to public enjoyment;

(3) such utilization of natural resources as in the judgment of the Secretary of the Interior is consistent with, and does not significantly impair, public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

Hunting and fishing.

SEC. 6. The Secretary of the Interior shall permit hunting and fishing on lands and waters under his jurisdiction within the area in accordance with the applicable laws and regulations of the States concerned and of the United States. The Secretary of the Interior may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, wildlife management, administration, or public use and enjoyment not compatible with hunting, and may, in his plan for the area, provide areas for intensive fish and wildlife management, including public hunting and fishing, and shall issue appropriate regulations after consultation with appropriate officials of the States concerned. The Secretary of the Interior shall encourage such officials to adopt uniform regulations applicable to the whole of the Delaware Water Gap National Recreation Area.

SEC. 7. Nothing in this Act shall be construed to deprive any State or political subdivision thereof, of its right to exercise civil and criminal jurisdiction over the lands and waters within the area or of its right to tax persons, corporations, franchises, or property on the lands and waters included in the area.

Appropriation.

SEC. 8. There are hereby authorized to be appropriated to the Secretary of the Interior for the acquisition of lands and interests in land pursuant to the provisions of section 2 of this Act and for expenses incident thereto not more than $37,412,000 which moneys shall be transferred to the Secretary of the Army. There are also authorized to be appropriated not more than $18,200,000 for the cost of installing and constructing recreation facilities on the lands and interests in lands so acquired. The amounts herein authorized to be appropriated are supplemental to those authorized to be appropriated for the Tocks Island project and related facilities by the Flood Control Act of 1962 (76 Stat. 1182).

Approved September 1, 1965.

Public Law 89-159

September 1, 1965
[H. J. Res. 639]

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1966, and for other purposes.

Continuing appropriations, 1966.
Ante, p. 285.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution of July 30, 1965 (Public Law 89-96), is hereby amended by striking out "August 31, 1965" and inserting in lieu thereof "September 30, 1965".

Approved September 1, 1965.

Public Law 89-160

AN ACT

September 1, 1965
[H. R. 5519]

To amend title 10, United States Code, to authorize language training to be given to a dependent of a member of the Army, Navy, Air Force, or Marine Corps under certain circumstances.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 101 of title 10, United States Code, is amended as follows:

Armed Forces.
70A Stat. 119.

(1) By adding the following new section:

"§ 2002. Dependents of members of Army, Navy, Air Force, or Marine Corps: language training

"(a) Notwithstanding section 1041 of title 22 or any other provision of law, and under regulations to be prescribed by the Secretary of Defense, language training may be provided in—

60 Stat. 1018;
74 Stat. 837.

"(1) a facility of the Department of Defense;

"(2) a facility of the Foreign Service Institute established under section 1041 of title 22; or

"(3) a civilian educational institution;

to a dependent of a member of the Army, Navy, Air Force, or Marine Corps in anticipation of the member's assignment to permanent duty outside the United States.

"(b) For the purposes of this section, the word 'dependent' has the same meaning that it has under section 401 of title 37."

"Dependent."
76 Stat. 469.

(2) By inserting the following item in the analysis:

"2002. Dependents of members of Army, Navy, Air Force, or Marine Corps: language training."

Approved September 1, 1965.

Public Law 89-161

AN ACT

September 2, 1965
[H. R. 485]

To authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the principal purpose of increasing the supply of water available for irrigation and other beneficial uses in the Central Valley of California, the Secretary of the Interior (hereinafter referred to as the "Secretary"), acting pursuant to the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain, as an addition to, and an integral part of, the Central Valley project, California, the Auburn-Folsom South unit, American River division. The principal works of the unit shall consist of—

Auburn-Folsom South unit, Central Valley project, Calif.
Construction.

43 USC 371 note.

(1) the Auburn Dam and Reservoir with maximum water surface elevation of one thousand one hundred and forty feet above mean sea level, and capacity of approximately two and one-half million acre-feet;

(2) a hydroelectric powerplant at Auburn Dam with initial installed capacity of approximately two hundred and forty thousand kilowatts and necessary electric transmission system for

interconnection with the Central Valley project power system: *Provided*, That provision may be made for the ultimate development of the hydroelectric capacity (now estimated at approximately four hundred thousand kilowatts) and such installation may be made when duly authorized by an Act of Congress: *Provided further*, That no facilities, except those required for interconnecting the Auburn powerplant and the Folsom switchyard and those interconnecting the Folsom switchyard and the Elverta substation, shall be constructed for electric transmission or distribution service which the Secretary determines, on the basis of a firm offer of a fifty-year contract from a local public or private agency, can be obtained at less cost to the Federal Government than by construction and operation of Government facilities;

(3) the Sugar Pine Dam and Reservoir;

(4) the County Line Dam and Reservoir;

(5) necessary diversion works, conduits, and other appurtenant works for the delivery of water supplies to projects on the Forest Hill Divide in Placer County and in the Folsom-Malby area in Sacramento and El Dorado Counties;

(6) the Folsom South canal and such related structures, including pumping plants, regulating reservoirs, floodways, channels, levees, and other appurtenant works for the delivery of water as the Secretary determines will best serve the needs of Sacramento and San Joaquin Counties: *Provided*, That the Secretary is authorized to include in such canal and related operating structures such additional works or capacity as he deems necessary and economically justified to provide for the future construction of the East Side division of the Central Valley project, and the incremental costs of providing additional works or capacity in the Folsom South canal to serve the East Side division of the Central Valley project shall be assigned to deferred use for repayment from Central Valley project revenues. In the event that the East Side division is authorized, such costs shall be deemed a part of the cost of that division and shall be reallocated as the Secretary deems right and proper.

Project coordination.

SEC. 2. Subject to the provisions of this Act, the operation of the Auburn-Folsom South unit, American River division, shall be integrated and coordinated, from both a financial and an operational standpoint, with the operation of other features of the Central Valley project, as presently authorized and as may in the future be authorized by Act of Congress, in such manner as will effectuate the fullest, most beneficial, and most economic utilization of the water resources hereby made available. Auburn and County Line Dams shall be operated for flood control in accordance with criteria established by the Secretary of the Army as provided for in section 7 of the Flood Control Act of 1944 (58 Stat. 887; 33 U.S.C. 709).

Flood control.

Outdoor recreation and fish and wildlife facilities.

SEC. 3. (a) Subject to the provisions of subsections (b), (c), (d), and (e) of this section, the Secretary is authorized in connection with the Auburn-Folsom South unit (i) to construct, operate, and maintain or provide for the construction, operation, and maintenance of public outdoor recreation and fish and wildlife enhancement facilities, (ii) to acquire or otherwise to include within the unit area such adjacent lands or interests in land as are necessary for present or future public recreation or fish and wildlife use, (iii) to allocate water and reservoir capacity to recreation and fish and wildlife enhancement, and (iv) to provide for the public use and enjoyment of unit lands, facilities, and water areas in a manner coordinated with other unit purposes. The Secretary is further authorized to enter into agreements with Federal

agencies or State or local public bodies for the operation, maintenance, and replacement of unit facilities, and to transfer unit lands or facilities to Federal agencies or State or local public bodies by lease or exchange, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

Nonreimbursable costs.

(b) Costs of recreation facilities at Sugar Pine Reservoir shall be nonreimbursable, and the provisions of subsections (c), (d), and (e) of this section shall not be applicable to such facilities.

(c)(1) If, before commencement of construction of the unit, non-Federal public bodies agree to administer unit land and water areas for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the unit approved by the Secretary and to bear not less than one-half the separable costs of the unit allocated to either or both of said purposes, as the case may be, and all the costs of operation, maintenance, and replacement incurred in connection therewith, the remainder of the separable capital costs so allocated shall be nonreimbursable.

(2) In the absence of such a preconstruction agreement recreation and fish and wildlife enhancement facilities (other than minimum facilities for the public health and safety at reservoir access points) shall not be provided, and the allocation of unit costs shall reflect only the number of visitor days and the value per visitor day estimated to result from such diminished recreation development without reference to lands which may be provided pursuant to subsection (e) of this section.

Non-Federal share of costs.

(d) The non-Federal share of the separable capital costs of the unit allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the Secretary: (i) payment, or provision of lands, interests therein, or facilities for the unit; or (ii) repayment, with interest, within fifty years of first use of unit recreation or fish and wildlife enchancement facilities: *Provided*, That the source of repayment may be limited to entrance and user fees or charges collected at the unit by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiation at intervals of not more than five years.

Acquisition of land.

(e) Notwithstanding the absence of preconstruction agreements as specified in subsection (c) of this section lands may be acquired in connection with construction of the unit to preserve its recreation potential, its fish and wildlife enhancement potential, or both.

(1) If non-Federal public bodies agree within ten years after initial unit operation to administer unit land and water areas for recreation and fish and wildlife enhancement pursuant to the plan for development of the unit approved by the Secretary and to bear not less than one-half the costs of land acquired therefor pursuant to this subsection and facilities and project modifications provided for those purposes and all costs of operation, maintenance, and replacement incurred therefor, the remainder of the costs of such lands, facilities, and project modifications shall be nonreimbursable. Such agreement and subsequent development shall not be the basis for any allocation of joint costs of the unit to recreation or fish and wildlife enhancement.

(2) If, within ten years after initial operation of the unit, there is not an executed agreement as specified in paragraph (1) of this subsection, the Secretary may utilize the lands for any lawful purpose within the jurisdiction of the Department of the Interior, or may transfer custody of the lands to another Federal agency for use for

any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

(f) Subject to the limitations hereinbefore stated, joint capital costs allocated to recreation and fish and wildlife enhancement shall be nonreimbursable.

(g) Costs of means and measures to prevent loss of and damage to fish and wildlife shall be treated as unit costs and allocated among all unit purposes.

(h) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

Local interests.

SEC. 4. In locating and designing the works and facilities authorized for construction by this Act, and in acquiring or withdrawing any lands as authorized by this Act, the Secretary shall give due consideration to the reports upon the California water plan prepared by the State of California, and shall consult the local interests who may be affected by the construction and operation of said works and facilities or by the acquisition or withdrawal of lands, through public hearings or in such manner as in his discretion may be found best suited to a maximum expression of the views of such local interests.

Allocation of water, limitation.

SEC. 5. Nothing contained in this Act shall be construed by implication or otherwise as an allocation of water, and in the studies for the purposes of developing plans for disposal of water as herein authorized the Secretary shall make recommendations for the use of water in accord with State water laws, including but not limited to such laws giving priority to the counties and areas of origin for present and future needs.

Appropriation.

SEC. 6. There is hereby authorized to be appropriated for construction of the Auburn-Folsom South unit, American River division, the sum of $425,000,000 (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 herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the project.

Approved September 2, 1965.

Public Law 89-162

September 2, 1965
[H. R. 1763]

AN ACT

To amend section 1825 of title 28 of the United States Code to authorize the payment of witness' fees in habeas corpus cases and in proceedings to vacate sentence under section 2255 of title 28 for persons who are authorized to proceed in forma pauperis.

U.S. courts. Payment of witness' fees.
62 Stat. 951.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1825 of title 28, United States Code, is amended by adding after the first paragraph of the section the following paragraph:

"In all proceedings, in forma pauperis, for a writ of habeas corpus or in proceedings under section 2255 of this title, the United States marshal for the district shall pay all fees of witnesses for the party

authorized to proceed in forma pauperis, on the certificate of the district judge."

And the last paragraph of section 1825 is amended to read as follows:

"Fees and mileage need not be tendered to the witness upon service of a subpena issued in behalf of the United States or an officer or agency thereof, or upon service of a subpena issued on behalf of a party, authorized to proceed in forma pauperis, where the payment thereof is to be made by the United States marshal as authorized in this section."

Approved September 2, 1965.

Public Law 89-163

AN ACT

September 2, 1965
[H. R. 3997]

To amend section 753(b) of title 28, United States Code, to provide for the recording of proceedings in the United States district courts by means of electronic sound recording as well as by shorthand or mechanical means.

U.S. district courts.
Recording of proceedings.
62 Stat. 921.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first three paragraphs of subsection (b) of section 753 of title 28, United States Code, are amended to read as follows:

"One of the reporters appointed for each such court shall attend at each session of the court and at every other proceeding designated by rule or order of the court or by one of the judges, and shall record verbatim by shorthand or by mechanical means which may be augmented by electronic sound recording subject to regulations promulgated by the Judicial Conference: (1) all proceedings in criminal cases had in open court; (2) all proceedings in other cases had in open court unless the parties with the approval of the judge shall agree specifically to the contrary; and (3) such other proceedings as a judge of the court may direct or as may be required by rule or order of court or as may be requested by any party to the proceeding. The Judicial Conference shall prescribe the types of electronic sound recording means which may be used by the reporters.

"The reporter shall attach his official certificate to the orginial shorthand notes or other original records so taken and promptly file them with the clerk who shall preserve them in the public records of the court for not less than ten years. An electronic sound recording of proceedings on arraignment, plea, and sentence in a criminal case, when properly certified by the court reporter, shall be admissible evidence to establish the record of that part of the proceeding.

"The reporter shall transcribe and certify all arraignments, pleas, and proceedings in connection with the imposition of sentence in criminal cases unless they have been recorded by electronic sound recording as provided in this subsection and the original records so taken have been certified by him and filed with the clerk as hereinabove provided in this subsection. He shall also transcribe and certify such other parts of the record of proceedings as may be required by rule or order of court. Upon the request of any party to any proceeding which has been so recorded who has agreed to pay the fee therefor, or of a judge of the court, the reporter shall promptly transcribe the original records of the requested parts of the proceedings and attach to the transcript his official certificate, and deliver the same to the party or judge making the request."

Approved September 2, 1965.

Public Law 89-164

September 2, 1965
[H. R. 8639]

AN ACT

Making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Departments of State, Justice, and Commerce, the Judiciary, and related agencies Appropriation Act, 1966.

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, 1966, and for other purposes, namely:

TITLE I—DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

SALARIES AND EXPENSES

60 Stat. 999; 74 Stat. 831.
74 Stat. 792.
60 Stat. 810.
70 Stat. 890; 76 Stat. 263.
62 Stat. 825.
5 USC 170*l*.

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 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; $176,400,000, 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 five 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.

REPRESENTATION ALLOWANCES

74 Stat. 801.

For representation allowances as authorized by section 901 of the Foreign Service Act of 1946 (22 U.S.C. 1131), $993,000.

ACQUISITION, OPERATION, AND MAINTENANCE OF BUILDINGS ABROAD

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); $19,125,000, of which not less than $14,000,000 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 $1,200,000 may be used for administrative expenses during the current fiscal year.

44 Stat. 403.
60 Stat. 999; 74 Stat. 831.
74 Stat. 792.
60 Stat. 810.

ACQUISITION, OPERATION, AND MAINTENANCE OF BUILDINGS ABROAD (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in 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(l) of that Act, to be credited to and expended under the appropriation account for "Acquisition, operation, and maintenance of buildings abroad", to remain available until expended, $6,500,000: *Provided*, That this appropriation shall not be used for payments in currencies available in the Treasury for the purposes of section 104(f) of such Act, unless such currencies are excess to the normal requirements of the United States.

68 Stat. 455.
72 Stat. 1790.

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, $96,953,000.

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); $3,375,000.

70 Stat. 890.

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. 831.
74 Stat. 792.
70 Stat. 890.
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.

SALARIES AND EXPENSES

For salaries and expenses not otherwise provided for, including examinations, preliminary surveys, and investigations, $815,000.

OPERATION AND MAINTENANCE

For operation and maintenance of projects or parts thereof, as enumerated above, including gaging stations, $2,025,000: *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, $10,883,000, 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.

48 Stat. 1621.
49 Stat. 660.
55 Stat. 338.
64 Stat. 846.
59 Stat. 1219.

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, $6,640,000, 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.

15 UST 21.
78 Stat. 184.
22 USC 277d-17 note.

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, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); hire of passenger motor vehicles; $475,000, 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:

1 UST 694.
60 Stat. 810.

International Joint Commission, United States and Canada, the salary of one Commissioner 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 Government 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.

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; $53,000,000, of which not less than $27,000,000 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 $2,450,000 may be used for administrative expenses during the current fiscal year.

22 USC 2451 note.
53 Stat. 1290.
60 Stat. 999; 74 Stat. 831.
60 Stat. 713.
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, $5,800,000: *Provided*, That none of the funds appropriated herein shall be used to pay any part of the salary, or to enter into any contract providing for the payment thereof, to any individual whose aggregate salary from any and all sources is in excess of $20,000 per annum.

74 Stat. 141.
22 USC 2054 note.

PRESENTATION OF A STATUE TO MEXICO

For expenses necessary to provide for a statue of Lincoln, to be presented to the people of Mexico, as authorized by the Act of August 4, 1964 (Public Law 88-399), $100,000, to remain available until expended.

78 Stat. 379.

GENERAL PROVISIONS—DEPARTMENT OF STATE

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.

Security guard services.

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.

Salaries or expenses, restriction.

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.

Advocates of one world government.

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.

Communist China.

This title may be cited as the "Department of State Appropriation Act, 1966".

Citation of title.

TITLE II—DEPARTMENT OF JUSTICE

Department of Justice Appropriation Act, 1966.

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; $5,339,000.

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); $21,350,000.

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

40 Stat. 411.
50 USC app. 1.
69 Stat. 562.

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 $369,000 shall be available in the current fiscal year for the general administrative expenses of alien property activities, including rent of private or Government-owned space in the District of Columbia: *Provided further*, That on or before November 1 of the current fiscal year the Attorney General shall make a report to the Appropriations Committees of the Senate and the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred during the next preceding fiscal year in connection with the alien property activities: *Provided further*, That of the total amount herein authorized the amount of $50,000 is to be transferred to the appropriation for "Salaries and expenses, general administration", Justice.

Report to congressional committees.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $7,130,000: *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; $32,150,000, 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 $375,000 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 six hundred and one, including one armored vehicle, of which five hundred and one 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; $165,365,000: *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 three 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; $73,175,000: *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 for replacement only, and hire of passenger motor vehicles; compilation of statistics relating to prisoners in Fed-

eral 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); $56,560,000: *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

For constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, and for site selection and preliminary planning of a replacement institution for the Federal Detention Headquarters, including all necessary expenses incident thereto, by contract or force account, $2,500,000: *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), $4,500,000.

61 Stat. 751.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

Attorneys, qualifications.

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.

Reimbursement to U.S.

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.

Attendance at meetings.

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.

Experts and consultants.

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).

60 Stat. 810.

Uniform allowances.

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).

68 Stat. 1114.

Citation of title.

This title may be cited as the "Department of Justice Appropriation Act, 1966".

TITLE III—DEPARTMENT OF COMMERCE

Department of Commerce Appropriation Act, 1966.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

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, $4,200,000.

46 USC 216 note.

AVIATION WAR RISK INSURANCE REVOLVING FUND

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.

72 Stat. 803.

61 Stat. 584.

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), $1,300,000.

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.

63 Stat. 62; 73 Stat. 471.

OFFICE OF BUSINESS ECONOMICS

SALARIES AND EXPENSES

For necessary expenses of the Office of Business Economics, $2,500,000.

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, $15,400,000.

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, $5,000,000, 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, $2,200,000, to remain available until December 31, 1972.

1967 ECONOMIC CENSUSES

For expenses necessary to prepare for taking, compiling, and publishing the 1967 censuses of business, transportation, manufacturers, and mineral industries, as authorized by law, $1,150,000, to remain available until December 31, 1970.

1967 CENSUS OF GOVERNMENTS

For expenses necessary to prepare for taking, compiling, and publishing the 1967 census of governments, as authorized by law, $200,000, to remain available until December 31, 1969.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Business and Defense Services Administration, $5,200,000.

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; $10,750,000, of which $3,000,000 shall remain available for trade and industrial exhibits until June 30, 1967: *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.
63 Stat. 62; 73 Stat. 471.
75 Stat. 531, 534.
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

63 Stat. 7; *Ante*, p. 209.
50 USC app. 2021 note.

by the Act of August 13, 1953 (22 U.S.C. 401), $4,675,000, of which not to exceed $1,658,000 may be advanced to the Bureau of Customs, Treasury Department, for enforcement of the export control program. 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, $4,200,000.

COAST AND GEODETIC SURVEY

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Act of August 6, 1947, as amended (33 U.S.C. 883a-883i), including hire, operation and maintenance of two aircraft; pay, allowances, gratuities, transportation of dependents and household effects, and payment of funeral expenses, as authorized by law, for an authorized strength of 250 commissioned officers on the active list; and pay of commissioned officers retired in accordance with law; $29,200,000, of which $988,000 shall be available for retirement pay of commissioned officers and payments under the Retired Serviceman's Family Protection Plan: *Provided*, That during the current fiscal year, this appropriation shall be reimbursed for at least press costs and costs of paper for charts published by the Coast and Geodetic Survey and furnished for the official use of the military departments of the Department of Defense. 61 Stat. 787. 70A Stat. 108; 75 Stat. 810. 10 USC 1431-1446.

CONSTRUCTION AND EQUIPMENT

For expenses necessary for construction and equipment of magnetic, seismological, and other facilities as authorized by the Act of August 6, 1947 (33 U.S.C. 883i), $770,000, to remain available until expended.

PATENT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Patent Office, including defense of suits instituted against the Commissioner of Patents, $33,400,000.

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; not to exceed $2,400 for hire, operation, maintenance, and repair of aircraft; and improvement and construction of facilities as authorized by the Act of September 2, 1958 (15 U.S.C. 278d); $33,743,000, of which not to exceed $200,000 shall be available for payments to the "Working Capital Fund", National Bureau of Standards, for additional capital: *Provided*, That during the current fiscal year the maximum base rate of compensation for employees appointed pursuant to the Act of September 2, 1958 (15 U.S.C. 278e), shall be equivalent to the maximum scheduled rate for GS-12. 31 Stat. 1449. 72 Stat. 1711. *Post*, p. 1111.

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

72 Stat. 1711.

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; $880,000, to remain available until expended.

WEATHER BUREAU

SALARIES AND EXPENSES

For expenses necessary for the Weather Bureau, including maintenance and operation of aircraft; purchase of upper air supplies for delivery through December 31, of the next fiscal year; and not to exceed $10,000 for maintenance of a printing office in the city of Washington, as authorized by law; $69,036,250.

RESEARCH AND DEVELOPMENT

For expenses necessary for the conduct of research by the Weather Bureau, including development and service testing of equipment; operation and maintenance of aircraft; and for acquisition, establishment, and relocation of research facilities and related equipment; $11,536,000, to remain available until June 30, 1968: *Provided*, That appropriations heretofore granted under this head 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 Weather Bureau, 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.

ESTABLISHMENT OF METEOROLOGICAL FACILITIES

For an additional amount for the acquisition, establishment, and relocation of operational facilities and related equipment, including the alteration and modernization of existing facilities, and for the acquisition of land; $1,500,000, to remain available until June 30, 1968: *Provided*, That the appropriations heretofore granted under this head shall be merged with this appropriation.

METEOROLOGICAL SATELLITE OPERATIONS

For expenses necessary to establish and operate a system for the continuous observation of worldwide meteorological conditions from space satellites, and for the reporting and processing of the data obtained for use in weather forecasting, $25,000,000, 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 to establish and operate the aforesaid system.

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, $132,150,000: *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, $180,000,000, 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; $6,500,000, 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 $800,000) 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 funds" for losses resulting from expenses of experimental ship operations.

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SALARIES AND EXPENSES

49 Stat. 1985.
46 USC 1245.

For expenses necessary for carrying into effect the Merchant Marine Act, 1936, and other laws administered by the Maritime Administration, $15,611,000, within limitations as follows:

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, $9,600,000;

Maintenance of shipyard facilities and operation of warehouses, $500,000;

Reserve fleet expenses, $5,511,000.

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; purchase of one passenger motor vehicle for replacement only; and uniform and textbook allowances for cadet midshipmen, at an average yearly cost of not to exceed $400 per cadet; $3,950,000: *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

46 USC 1381 note.

For financial assistance to State marine schools and the students thereof as authorized by the Maritime Academy Act of 1958 (72 Stat. 622-624), $1,600,000, 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 $1,240,000, 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.

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 $51,000,000), including maintenance of a National Register of Revoked Motor Vehicle Operators' Licenses, as authorized by law (74 Stat. 526), and purchase of two passenger motor vehicles 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.

75 Stat. 779.
23 USC 313 note.

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, $3,898,400,000, or so much thereof as may be available in and derived from the "Highway trust fund"; which sum is composed of $1,074,510,010, the balance of the amount authorized for the fiscal year 1964, and $2,817,956,045 (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 1965, $5,302,939 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 $631,006 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.

23 USC 101-134.
73 Stat. 612.
72 Stat. 917.

FOREST HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

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 $4,950,000, the balance of the amount authorized to be appropriated for the fiscal year 1964, and $27,050,000, a part of the amount authorized to be appropriated for the fiscal year 1965: *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)

72 Stat. 908; 78 Stat. 397.

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 $5,300,000, the balance of the amount authorized for the fiscal year 1964, and $2,700,000, a part of the amount authorized to be appropriated for the fiscal year 1965.

INTER-AMERICAN HIGHWAY

For necessary expenses for construction of the Inter-American Highway, in accordance with the provisions of section 212 of title 23 of the United States Code, to remain available until expended, $8,000,000, of which $6,000,000 is for liquidation of obligations incurred pursuant to the contract authorization granted by section 4 of the Federal-Aid Highway Act of 1962 (76 Stat. 1146).

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), $200,000,000.

TRANSPORTATION RESEARCH

For necessary expenses for conducting transportation research activities, $3,000,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

63 Stat. 907.

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.

60 Stat. 810.

68 Stat. 1114.

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).

Citation of title.

This title may be cited as the "Department of Commerce Appropriation Act, 1966".

Judiciary Appropriation Act, 1966.

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, $1,925,000.

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); $314,000.

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, $8,500.

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, $450,000.

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; $1,159,400: *Provided*, That traveling expenses of judges of the Customs Court shall be paid upon the written certificate of the judge.

60 Stat. 810.

COURT OF CLAIMS

SALARIES AND EXPENSES

For salaries of the chief judge, four 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, $1,300,000.

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; $14,500,000.

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, $34,292,000: *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 $18,150 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 $24,200 per annum.

63 Stat. 954; *Post*, p. 1111. 5 USC 1071 note.

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; and compensation of voting referees fixed by the court pursuant to the provisions of the Civil Rights Act of 1960 (74 Stat. 86); $6,000,000.

62 Stat. 815.

42 USC 1971 note.

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, $4,910,000: *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, $1,800,000: *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 $6,425,000, to be derived from the Referees' salary and expense fund established in pursuance of said Act. 60 Stat. 326, 329; 78 Stat. 434.

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. Reimbursement to U.S.

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. U.S. Court of Appeals reports.

This title may be cited as the "Judiciary Appropriation Act, 1966". Citation of title.

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 $107,000 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 countries when required by law of such countries; $2,148,000: *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.

DEDICATION OF MEMORIALS

The funds made available under this head in the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1965, shall remain available until June 30, 1966.

78 Stat. 731.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For expenses necessary for the Commission on Civil Rights, including hire of passenger motor vehicles, $1,500,000.

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, $5,000,000, of which not to exceed $1,500,000 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), and not to exceed $100,000 for payments to State and local agencies for services to the Commission pursuant to section 709(b) of the Civil Rights Act, $2,750,000.

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); $3,150,000.

68 Stat. 1114.

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 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;

60 Stat. 1025.
22 USC 1131-1158.

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 $40,000 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; $1,915,000.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles, $7,065,000, and in addition there may be transferred to this appropriation (a) not to exceed $50,000 from the appropriation "Trade adjustment loan assistance," for administrative expenses of activities financed under that appropriation, and (b) not to exceed $35,000,000 from the revolving fund, Small Business Administration, for administrative expenses in connection with activities financed under said fund: *Provided*, That 10 per centum of the amount authorized to be transferred from the revolving fund, Small Business Administration, 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.

31 USC 665.

REVOLVING FUND

For additional capital for the revolving fund authorized by the Small Business Act of 1953, as amended, to be available without fiscal year limitation, $150,000,000.

76 Stat. 220; *Ante*, p. 207. 15 USC 633.

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), $556,000.

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 $30,000 for expenses of travel, and not to exceed $500 for the purchase of newspapers and periodicals, $480,000.

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), $3,400,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any mem-

46 Stat. 701.
19 USC 1336-1338.

ber 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.

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

22 USC 2551 note.

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), $10,000,000.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

67 Stat. 642.
5 USC 133z-15 note.
22 USC 2451.
62 Stat. 6; 75 Stat. 538.
60 Stat. 999; 74 Stat. 831.
60 Stat. 810.
63 Stat. 62; 73 Stat. 471.
31 USC 529.

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 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 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 States 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 six 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; $140,000,000, 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 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.

63 Stat. 166; 75 Stat. 339, 340. 5 USC 835 note.

63 Stat. 384.

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 and for payments in Brazilian cruzeiros, for necessary expenses of the United States Information Agency, as authorized by law, $11,112,000, 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), $3,750,000, 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), $154,000, to remain available until expended: *Provided*, That not to exceed $1,250 may be expended for representation.

22 USC 2451 note.

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, $16,601,000, 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 in the budget for the fiscal year 1966 for such corporation, including purchase of not to exceed six and hire of passenger motor vehicles, except as hereinafter provided:

61 Stat. 584. 31 USC 849.

LIMITATION ON ADMINISTRATIVE AND VOCATIONAL TRAINING EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $695,000 of the funds of the corporation shall be available for its administrative expenses, and not to exceed $1,575,000 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

SEC. 701. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

Publicity or propaganda.

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.

This Act may be cited as the "Departments of State, Justice, and Commerce, the Judiciary, and related agencies Appropriation Act, 1966".

Short title.

Approved September 2, 1965.

Public Law 89-165

AN ACT

September 2, 1965
[H. R. 3990]

To amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1871 of title 28, United States Code, is amended to read as follows:

U.S. district courts.
Jurors' fees, increase.
71 Stat. 618.

"§ 1871. Fees

"Grand and petit jurors in district courts or before United States commissioners shall receive the following fees, except as otherwise expressly provided by law:

"For actual attendance at the place of trial or hearing and for the time necessarily occupied in going to and from such place at the beginning and end of such service or at any time during the same, $10 per day, except that any juror required to attend more than thirty days in hearing one case may be paid in the discretion and upon the certification of the trial judge a per diem fee not exceeding $14 for each day in excess of thirty days he is required to hear such case.

"For the distance necessarily traveled to and from a juror's residence by the shortest practicable route in going to and returning from the place of service at the beginning and at the end of the term of service 10 cents per mile; and for additional necessary daily or other interim travel during the term of service the juror shall be allowed for such travel 10 cents per mile, but not to exceed the subsistence allowance which would have been paid him if he had remained at the place of holding court overnight or during temporary recess, and if daily travel appears impracticable, subsistence of $10 per day shall be allowed, including the time necessarily occupied in going to and returning from the place of attendance. Whenever in any case the jury is ordered to be kept together and not to separate, the cost of subsistence during such period shall be paid by the United States marshal upon the order of the court in lieu of the foregoing subsistence allowance.

"Jury fees and travel and subsistence allowances provided by this section shall be paid by the United States marshal on the certificate of the clerk of the court, and in the case of jury fees in excess of $10 per diem, when allowed as hereinabove provided, on the certificate of the trial judge."

Approved September 2, 1965.

Public Law 89-166

September 2, 1965
[H. R. 5497]

AN ACT

To amend paragraphs b and c of section 14 of the Bankruptcy Act.

Bankruptcy Act, amendment.
Discharges.
71 Stat. 599; 52 Stat. 850.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraphs b and c of section 14 of the Bankruptcy Act (11 U.S.C. 32 (b), (c)) are amended to read as follows:

11 USC 94.

"b. The court shall make an order fixing a time for the filing of objections to the bankrupt's discharge which shall be not less than thirty days after the first date set for the first meeting of creditors. Notice of such order shall be given to all parties in interest as provided in section 58b of this Act. If the examination of the bankrupt concerning his acts, conduct, and property has not or will not be completed within the time fixed for the filing of objections to the discharge the court may, upon its own motion or upon motion of the receiver, trustee, a creditor, or any other party in interest or for other cause shown, extend the time for filing such objections. Upon the expiration of the time fixed in such order or of any extension of such time granted by the court, the court shall discharge the bankrupt if no objection has been filed and if the filing fees required to be paid by this Act have been paid in full; otherwise, the court shall hear such proofs and pleas as may be made in opposition to the discharge, by the trustee, creditors, the United States Attorney, or such other attorney as the Attorney General may designate, at such time as will give the bankrupt and the objecting parties a reasonable opportunity to be fully heard.

Grounds for refusal.
62 Stat. 689.

"c. The court shall grant the discharge unless satisfied that the bankrupt has (1) committed an offense punishable by imprisonment as provided under title 18, United States Code, section 152; or (2) destroyed, mutilated, falsified, concealed, or failed to keep or preserve books of account or records, from which his financial condition and business transactions might be ascertained, unless the court deems such acts or failure to have been justified under all the circumstances of the case; or (3) while engaged in business as a sole proprietor, partnership, or as an executive of a corporation, obtained for such business money or property on credit or as an extension or renewal of credit by making or publishing or causing to be made or published in any manner whatsoever a materially false statement in writing respecting his financial condition or the financial condition of such partnership or corporation; or (4) at any time subsequent to the first day of the twelve months immediately preceding the filing of the petition in bankruptcy, transferred, removed, destroyed, or concealed, or permitted to be removed, destroyed, or concealed, any of his property with intent to hinder, delay, or defraud his creditors; or (5) in a proceeding under this Act commenced within six years prior to the date of the filing of the petition in bankruptcy has been granted a discharge, or had a composition or an arrangement by way of composition or a wage earner's plan by way of composition confirmed under this Act; or (6) in the course of a proceeding under this Act refused to obey any lawful order of, or to answer any material question approved by, the court; or (7) has failed to explain satisfactorily any losses of assets or deficiency of assets to meet his liabilities; or (8) has failed to pay the filing fees required to be paid by this Act in full: *Provided*, That

if, upon the hearing of an objection to a discharge, the objector shall show to the satisfaction of the court that there are reasonable grounds for believing that the bankrupt has committed any of the acts which, under this subdivision c, would prevent his discharge in bankruptcy, then the burden of proving that he has not committed any of such acts shall be upon the bankrupt."

Approved September 2, 1965.

Public Law 89-167

AN ACT

September 2, 1965
[H. R. 3992]

To amend section 753(f) of title 28, United States Code, relating to transcripts furnished by court reporters for the district courts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 753(f) of title 28 of the United States Code is amended to read as follows:

U. S. district courts.
Transcript fees.
62 Stat. 921.

"(f) Each reporter may charge and collect fees for transcripts requested by the parties, including the United States, at rates prescribed by the court subject to the approval of the Judicial Conference. He shall not charge a fee for any copy of a transcript delivered to the clerk for the records of court. Fees for transcripts furnished in criminal or habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis shall be paid by the United States out of money appropriated for that purpose. Fees for transcripts furnished in proceedings brought under section 2255 of this title to persons permitted to sue or appeal in forma pauperis shall be paid by the United States out of money appropriated for that purpose if the trial judge or a circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal. Fees for transcripts furnished in other proceedings to persons permitted to appeal in forma pauperis shall also be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question). The reporter may require any party requesting a transcript to prepay the estimated fee in advance except as to transcripts that are to be paid for by the United States."

62 Stat. 967.

Approved September 2, 1965.

Public Law 89-168

AN ACT

September 2, 1965
[H. R. 9544]

To authorize the disposal, without regard to the prescribed six-month waiting period, of approximately six hundred and twenty thousand long tons of natural rubber 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 approximately six hundred and twenty thousand long tons of natural rubber now held in the national stockpile. Such disposal may be made without regard to the provision of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition required by said section 3(e).

Rubber, disposal.

60 Stat. 597.

Publication in Federal Register.

Approved September 2, 1965.

Public Law 89-169

September 6, 1965
[H. J. Res. 632]

JOINT RESOLUTION

To authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes.

Lyndon Baines Johnson Presidential Archival Depository.

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 enter into an agreement upon such terms and conditions as he determines proper with the University of Texas to utilize as the Lyndon Baines Johnson Archival Depository, land, buildings, and equipment of such university to be made available by it without transfer of title to the United States, and to maintain, operate, and protect such depository as a part of the National Archives system. Such agreement may be entered into without regard to the provisions 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.

69 Stat. 695.

Approved September 6, 1965.

Public Law 89-170

September 6, 1965
[H. R. 5401]

AN ACT

To amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes.

Interstate Commerce Act, amendment.
49 Stat. 550; 54 Stat. 922.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (f) of section 205 of the Interstate Commerce Act (49 U.S.C. 305(f)) is amended by inserting after the second sentence thereof the following new sentence: "In addition, the Commission is authorized to make cooperative agreements with the various States to enforce the economic and safety laws and regulations of the various States and the United States concerning highway transportation."

State registration of ICC certificates.

SEC. 2. Subsection (b) of section 202 of the Interstate Commerce Act (49 U.S.C. 302(b)) is amended by inserting "(1)" immediately after "(b)" and by adding at the end thereof the following:

"(2) The requirement by a State that any motor carrier operating in interstate or foreign commerce within the borders of that State register its certificate of public convenience and necessity or permit issued by the Commission shall not constitute an undue burden on interstate commerce provided that such registration is accomplished in accordance with standards, or amendments thereto, determined and officially certified to the Commission by the national organization of the State commissions, as referred to in section 205(f) of this Act, and promulgated by the Commission. As so certified, such standards, or amendments thereto, shall be promulgated forthwith by the Commission and shall become effective five years from the date of such promulgation. As used in this paragraph, 'standards or amendments thereto' shall mean specification of forms and procedures required to evidence the lawfulness of interstate operations of a carrier within a State by (a) filing

and maintaining current records of the certificates and permits issued by the Commission, (b) registering and identifying vehicles as operating under such certificates and permits, (c) filing and maintaining evidence of currently effective insurance or qualifications as a self-insurer under rules and regulations of the Commission, and (d) filing designations of local agents for service of process. Different standards may be determined and promulgated for each of the classes of carriers as differences in their operations may warrant. In determining or amending such standards, the national organization of the State commissions shall consult with the Commission and with representatives of motor carriers subject to State registration requirements. To the extent that any State requirements for registration of motor carrier certificates or permits issued by the Commission impose obligations which are in excess of the standards or amendments thereto promulgated under this paragraph, such excessive requirements shall, on the effective date of such standards, constitute an undue burden on interstate commerce. If the national organization of the State commissions fails to determine and certify to the Commission such standards within eighteen months from the effective date of the paragraph, or if that organization at any time determines to withdraw in their entirety standards previously determined or promulgated, it shall be the duty of the Commission, within one year thereafter, to devise and promulgate such standards, and to review from time to time the standards so established and make such amendments thereto as it may deem necessary, in accordance with the foregoing requirements of this paragraph. Nothing in this paragraph shall be construed to deprive the Commission, when there is a reasonable question of interpretation or construction, of its jurisdiction to interpret or construe certificates of public convenience and necessity, permits, or rules and regulations issued by the Commission, nor to authorize promulgation of standards in conflict with any rule or regulation of the Commission."

Civil penalties, increase. 63 Stat. 488.

SEC. 3. Subsection (h) of section 222 of the Interstate Commerce Act (49 U.S.C. 322(h)) is amended by striking out the words "shall forfeit to the United States the sum of $100 for each such offense, and, in case of a continuing violation, not to exceed $50 for each additional day during which such failure or refusal shall continue" in the first sentence therein and by inserting in lieu thereof the following: "or who shall fail or refuse to comply with the provisions of section 203(c) or section 206(a)(1) or section 209(a)(1) shall forfeit to the United States not to exceed $500 for each such offense, and, in case of a continuing violation not to exceed $250 for each additional day during which such failure or refusal shall continue".

Enforcement proceedings by Commission. 49 Stat. 564.

SEC. 4. Subsection (b) of section 222 of the Interstate Commerce Act (49 U.S.C. 322(b)) is amended to read as follows:

"(b)(1) If any motor carrier or broker operates in violation of any provision of this part (except as to the reasonableness of rates, fares, or charges and the discriminatory character thereof), or any lawful rule, regulation, requirement, or order promulgated by the Commission, or of any term or condition of any certificate or permit, the Commission or its duly authorized agent may apply for the enforcement thereof to the district court of the United States for any district where such motor carrier or broker operates. In any proceeding instituted under the provisions of this subsection, any person, or persons, acting in concert or participating with such carrier or broker in the Commis-

sion of such violation may, without regard to his or their residence, be included, in addition to the motor carrier or broker, as a party, or parties, to the proceeding. The court shall have jurisdiction to enforce obedience to any such provision of this part, or of such rule, regulation, requirement, order, term, or condition by a writ of injunction or by other process, mandatory or otherwise, restraining such carrier or broker, his or its officers, agents, employees, and representatives, and such other person, or persons, acting in concert or participating with such carrier or broker, from further violation of such provision of this part, or of such rule, regulation, requirement, order, term, or condition and enjoining upon it or them obedience thereto. Process in such proceedings may be served upon such motor carrier, or broker, or upon such person, or persons, acting in concert or participating therewith in the commission of such violation, without regard to the territorial limits of the district or of the State in which the proceeding is instituted.

Enforcement proceedings by injured persons.
49 USC 303, 306, 309, 311.

"(2) If any person operates in clear and patent violation of any provisions of section 203(c), 206, 209, or 211 of this part, or any rule, regulation, requirement, or order thereunder, any person injured thereby may apply to the district court of the United States for any district where such person so violating operates, for the enforcement of such section, or of such rule, regulation, requirement, or order. The court shall have jurisdiction to enforce obedience thereto by a writ of injunction or by other process, mandatory or otherwise, restraining such person, his or its officers, agents, employees, and representatives from further violation of such section or of such rule, regulation, requirement, or order; and enjoining upon it or them obedience thereto. A copy of any application for relief filed pursuant to this paragraph shall be served upon the Commission and a certificate of such service shall appear in such application. The Commission may appear as of right in any such action. The party who or which prevails in any such action may, in the discretion of the court, recover reasonable attorney's fees to be fixed by the court, in addition to any costs allowable under the Federal Rules of Civil Procedure, and the plaintiff instituting such action shall be required to give security, in such sum as the court deems proper, to protect the interests of the party or parties against whom any temporary restraining order, temporary injunctive, or other process is issued should it later be proven unwarranted by the facts and circumstances.

28 USC app.

"(3) In any action brought under paragraph (2) of this subsection, the Commission may notify the district court of the United States in which such action is pending that it intends to consider the matter in a proceeding before the Commission. Upon the filing of such a notice the court shall stay further action pending disposition of the proceeding before the Commission."

SEC. 5. Subsection (b) of section 417 of the Interstate Commerce Act (49 U.S.C. 1017(b)) is amended by inserting "(1)" immediately after "(b)" and by adding at the end thereof the following new paragraph:

56 Stat. 297.

"(2) If any person operates in clear and patent violation of section 410 of this part, or any rule, regulation, requirement, or order thereunder, any person injured thereby may apply to the district court of the United States for any district where such person so violating operates, for the enforcement of such section, or of such rule, regulation, requirement, or order. The court shall have jurisdiction to

49 USC 1010.

enforce obedience thereto by a writ of injunction or by other process, mandatory or otherwise, restraining such person, his or its officers, agents, employees, and representatives from further violation of such section or of such rule, regulation, requirement, or order; and enjoining upon it or them obedience thereto. A copy of any application for relief filed pursuant to this paragraph shall be served upon the Commission and a certificate of such service shall appear in such application. The Commission may appear as of right in any such action. The party who or which prevails in any such action may, in the discretion of the court, recover reasonable attorney's fees to be fixed by the court, in addition to any costs allowable under the Federal Rules of Civil Procedure, and the plaintiff instituting such action shall be required to give security, in such sum as the court deems proper, to protect the interests of the party or parties against whom any temporary restraining order, temporary injunctive or other process is issued should it later be proven unwarranted by the facts and circumstances.

"(3) In any action brought under paragraph (2) of this subsection, the Commission may notify the district court of the United States in which such action is pending that it intends to consider the matter in a proceeding before the Commission. Upon the filing of such a notice the court shall stay further action pending disposition of the proceeding before the Commission."

Recovery of reparations and overcharges.
63 Stat. 280.

SEC. 6. (a) Paragraph (2) of section 204a of the Interstate Commerce Act (49 U.S.C. 304a) is amended to read as follows:

"(2) For recovery of reparations, action at law shall be begun against common carriers by motor vehicle subject to this part within two years from the time the cause of action accrues, and not after, and for recovery of overcharges, action at law shall be begun against common carriers by motor vehicle subject to this part within three years from the time the cause of action accrues, and not after, subject to paragraph (3) of this section, except that if claim for the overcharge has been presented in writing to the carrier within the three-year period of limitation said period shall be extended to include six months from the time notice in writing is given by the carrier to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice."

63 Stat. 280;
72 Stat. 860.

(b) Section 204a of the Interstate Commerce Act (49 U.S.C. 304a) is amended by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and by inserting immediately after paragraph (4) thereof the following:

"Reparations."

"(5) The term 'reparations' as used in this section means damages resulting from charges for transportation services to the extent that the Commission, upon complaint made as provided in section 216(e) of this part, finds them to have been unjust and unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial."

49 Stat. 558.
49 USC 316.

63 Stat. 282;
72 Stat. 860.

SEC. 7. (a) Paragraph (2) of section 406a of the Interstate Commerce Act (49 U.S.C. 1006a) is amended to read as follows:

"(2) For recovery of reparations, action at law shall be begun against freight forwarders subject to this part within two years from the time the cause of action accrues, and not after, and for recovery of overcharges, action at law shall be begun against freight forwarders subject to this part within three years from the time the cause

of action accrues, and not after, subject to paragraph (3) of this section, except that if claim for the overcharge has been presented in writing to the freight forwarder within the three-year period of limitation said period shall be extended to include six months from the time notice in writing is given by the freight forwarder to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice."

(b) Section 406a of the Interstate Commerce Act (49 U.S.C. 1006a) is amended by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and by inserting immediately after paragraph (4) thereof the following:

"Reparations."

"(5) The term 'reparations' as used in this section means damages resulting from charges for transportation services to the extent that the Commission, upon complaint made as provided in section 406 of this part, finds them to have been unjust and unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial."

56 Stat. 288.
49 USC 1006.

54 Stat. 929.
49 USC 901-923.

SEC. 8. (a) Part III of the Interstate Commerce Act is amended by inserting immediately after section 312 the following new section:

"REVOCATION OF CERTIFICATES AND PERMITS

"SEC. 312a. (1) Certificates and permits shall be effective from the date specified therein, and shall remain in effect until suspended or revoked as provided in this section.

"(2) Any certificate or permit issued under this part may, upon application of the holder thereof, in the discretion of the Commission, be amended or revoked, in whole or in part, or may, upon complaint, or on the Commission's own initiative, after reasonable notice and opportunity for hearing, be suspended, changed, or revoked, in whole or in part, for willful failure to comply with the provisions of section 305(a) with respect to performing, providing, and furnishing transportation upon reasonable request therefor: *Provided, however*, That no such certificate or permit shall be suspended, changed, or revoked under this paragraph (except upon application of the holder) unless the holder thereof, fails to comply, within a reasonable time, not less than thirty days, to be fixed by the Commission, with a lawful order of the Commission, made as provided in section 304(e) of this title, commanding obedience to the provisions of section 305(a) with respect to performing, providing, and furnishing transportation upon reasonable request therefor."

49 USC 905.

49 USC 904.

54 Stat. 934.
49 USC 905.

(b) The table of contents in section 301 of the Interstate Commerce Act, as amended (49 U.S.C. 901), is amended by inserting immediately after and below

"Sec. 312. Transfer of certificates and permits."

the following:

"Sec. 312a. Revocation of certificates and permits.".

Approved September 6, 1965.

Public Law 89-171

AN ACT

September 6, 1965
[H. R. 7750]

To amend further the Foreign Assistance Act of 1961, 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 this Act may be cited as the "Foreign Assistance Act of 1965".

Foreign Assistance Act of 1965.

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.
22 USC 2151.

(a) Strike out the last sentence in the seventh paragraph and substitute the following: "It is the sense of the Congress that in furnishing assistance under this part excess personal property shall be utilized wherever practicable in lieu of the procurement of new items for United States-assisted projects and programs. It is the further sense of the Congress that assistance under this part shall be complemented by the furnishing under any other Act of surplus agricultural commodities and by disposal of excess property under this and other Acts."

Excess property, utilization and disposal.

(b) Add at the end thereof the following new paragraph:

"It is the sense of the Congress that assistance under this or any other Act to any foreign country which hereafter permits, or fails to take adequate measures to prevent, the damage or destruction by mob action of United States property within such country, should be terminated and should not be resumed until the President determines that appropriate measures have been taken by such country to prevent a recurrence thereof."

Destruction of U.S. property.

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:

(a) Amend section 205, which relates to the use of the facilities of the International Development Association, to read as follows:

22 USC 2165.

"SEC. 205. USE OF INTERNATIONAL LENDING ORGANIZATIONS.—In order to serve the purposes of this title and the policy contained in section 619, the President, after consideration of the extent of additional participation by other countries, 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 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."

22 USC 2369.

22 USC 2161.

(b) Add the following new section:

"SEC. 206. REGIONAL DEVELOPMENT IN AFRICA.—The President is requested to seek and to take appropriate action, in cooperation and consultation with African and other interested nations and with international development organizations, to further and assist in the

advancement of African regional development institutions, including the African Development Bank, with the view toward promoting African economic development."

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. 428; 78 Stat. 1009. 22 USC 2172.

(a) Amend section 212, which relates to authorization, by striking out "1965" and "$215,000,000" and substituting "1966" and "$210,000,000", respectively.

22 USC 2174.

(b) Amend section 214, which relates to American schools and hospitals abroad, as follows:

(1) Amend subsection (b) by striking out "treatment, education," and substituting "education".

(2) Amend subsection (c) by striking out "1965, $18,000,000" and substituting "1966, $7,000,000".

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) Amend section 221(b), which relates to general authority, as follows:

(1) Amend the introductory clause to read as follows:

"(b) The President may issue guaranties to eligible United States investors—".

(2) In paragraph (1), strike out "$2,500,000,000" and substitute "$5,000,000,000".

(3) Amend paragraph (2) as follows:

(A) In the first proviso, strike out ", and no such guaranty in the case of a loan shall exceed $25,000,000 and no other such guaranty shall exceed $10,000,000".

(B) In the third proviso, immediately after "$300,000,000" insert the following: ", and guaranties issued under this paragraph (2) for other than housing projects similar to those insured by the Federal Housing Administration, shall not exceed $175,000,000".

(C) In the fourth proviso, strike out "1966" and substitute "1967".

(b) Amend section 221(c), which relates to general authority, as follows:

(1) Strike out "actual earnings or profits" and substitute "earnings or profits actually accrued".

(2) Immediately after "guaranty" the third time it appears, insert "of an equity investment".

22 USC 2182.

(c) Amend section 222(b), which relates to general provisions, by inserting after "(exclusive of informational media guaranties)," the words "and to pay the costs of investigating and adjusting (including costs of arbitration) claims under such guaranties,".

22 USC 2183.

(d) Amend section 223, which relates to definitions, as follows:

(1) In subsection (a), strike out "and" at the end thereof and in subsection (b) strike out the period and substitute "; and".

(2) Add the following new subsection (c):

"Eligible U.S. investors."

"(c) the term 'eligible United States investors' means United States citizens, or corporations, partnerships, or other associations created under the laws of the United States or any State or

territory and substantially beneficially owned by United States citizens, as well as foreign corporations, partnerships, or other associations wholly owned by one or more such United States citizens, corporations, partnerships, or other associations: *Provided*, That the eligibility of a foreign corporation shall be determined without regard to any shares, in aggregate less than 5 per centum of the total of issued and subscribed share capital, required by law to be held by persons other than the United States owners."

(e) Amend section 224, which relates to housing projects in Latin American countries, to read as follows: 75 Stat. 432. 22 USC 2184.

"SEC. 224. HOUSING PROJECTS IN LATIN AMERICAN COUNTRIES.—(a) It is the sense of Congress that in order to stimulate private home ownership and assist in the development of stable economies in Latin America, the authority conferred by this section should be utilized for the purpose of assisting in the development in the American Republics of self-liquidating pilot housing projects, the development of institutions engaged in Alliance for Progress programs, including cooperatives, free labor unions, savings and loan type institutions, and other private enterprise programs in Latin America engaged directly or indirectly in the financing of home mortgages, the construction of homes for lower income persons and families, the increased mobilization of savings and the improvement of housing conditions in Latin America.

"(b) To carry out the purposes of subsection (a), the President is authorized to issue guaranties, on such terms and conditions as he shall determine, to eligible United States investors as defined in section 223 assuring against loss of loan investments made by such investors in— *Ante*, p. 654.

"(1) pilot or demonstration private housing projects in Latin America of types similar to those insured by the Federal Housing Administration and suitable for conditions in Latin America;

"(2) credit institutions in Latin America engaged directly or indirectly in the financing of home mortgages, such as savings and loan institutions and other qualified investment enterprises;

"(3) housing projects in Latin America for lower income families and persons, which projects shall be constructed in accordance with maximum unit costs established by the President for families and persons whose incomes meet the limitations prescribed by the President;

"(4) housing projects in Latin America which will promote the development of institutions important to the success of the Alliance for Progress, such as free labor unions, cooperatives, and other private enterprise programs; or

"(5) housing projects in Latin America 25 per centum or more of the aggregate of the mortgage financing for which is made available from sources within Latin America and is not derived from sources outside Latin America, which projects shall, to the maximum extent practicable, have a unit cost of not more than $6,500.

"(c) The total face amount of guaranties issued under this section outstanding at any one time shall not exceed $400,000,000: *Provided*, That no payment may be made under this section for any loss arising out of fraud or misconduct for which the investor is responsible: *Provided further*, That this authority shall continue until June 30, 1967."

TITLE VI—ALLIANCE FOR PROGRESS

SEC. 105. Section 252 of the Foreign Assistance Act of 1961, as amended, which relates to the Alliance for Progress, is amended by inserting immediately after "fiscal year 1965" the following: "and $75,000,000 in fiscal year 1966". 76 Stat. 258; 78 Stat. 1010. 22 USC 2212.

CHAPTER 3—INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 106. 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:

75 Stat. 433.
22 USC 2221.

(a) Amend section 301(c), which relates to assistance for Palestine refugees in the Near East, by adding at the end thereof the following: "Contributions by the United States to the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the calendar year 1966 shall not exceed $15,200,000."

78 Stat. 1010.
22 USC 2222.

(b) Amend section 302, which relates to authorization, by striking out "1965" and "$134,272,400" and substituting "1966" and "$144,755,000", respectively.

CHAPTER 4—SUPPORTING ASSISTANCE

75 Stat. 434;
78 Stat. 1010.
22 USC 2242.

SEC. 107. Section 402 of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended by striking out in the first sentence "1965" and "$405,000,000" and substituting "1966" and "$369,200,000", respectively.

CHAPTER 5—CONTINGENCY FUND

22 USC 2261.

SEC. 108. Section 451 of the Foreign Assistance Act of 1961, as amended, which relates to the contingency fund, is amended as follows:

(a) Amend subsection (a) as follows:

(1) Strike out "1965" and "$150,000,000" and substitute "1966" and "$50,000,000", respectively.

Southeast Asia.

(2) Add the following new sentence: "In addition, there is hereby authorized to be appropriated to the President for use in Southeast Asia such sums, not to exceed $89,000,000, as may be necessary in the fiscal year 1966 for programs authorized by parts I and II of this Act."

22 USC 2151-2321.

(b) Amend subsection (b) by striking out "this section" and substituting "the first sentence of subsection (a)".

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:

75 Stat. 435.
22 USC 2311.

(a) Amend section 503(b), which relates to general authority, by striking out the words "in foreign countries".

78 Stat. 1011.
22 USC 2312.

(b) Amend section 504, which relates to authorization, by striking out "1965" and "$1,055,000,000" in the first sentence and substituting "1966" and "$1,170,000,000", respectively.

75 Stat. 436;
77 Stat. 384.
22 USC 2313.

(c) Amend section 505, which relates to utilization of assistance, as follows:

(1) In subsection (a), strike out the colon and add the following: ", or for the purpose of assisting foreign military forces in less developed friendly countries (or the voluntary efforts of personnel of the Armed Forces of the United States in such countries) to construct public works and to engage in other activities helpful to the economic and social development of such friendly countries. It is the sense of the Congress that such foreign military forces

should not be maintained or established solely for civic action activities and that such civic action activities not significantly detract from the capability of the military forces to perform their military missions and be coordinated with and form part of the total economic and social development effort."

(2) Strike out subsection (b) and redesignate the proviso of subsection (a) as subsection (b).

(3) In redesignated subsection (b), strike out "*Provided*. That except" and substitute "Except"; strike out "or (2)" and substitute ", or (2) for civic action assistance, or (3)".

(d) Amend section 507, which relates to sales, as follows: 75 Stat. 437; 78 Stat. 1011. 22 USC 2315.

(1) In subsection (a), insert the following new sentence between the second and third sentences: "Notwithstanding the provisions of section 644(m)(2), nonexcess defense articles may be sold under this subsection at the standard price in effect at the time such articles are offered for sale to the purchasing country or international organization." *Post*, p. 661.

(2) In subsection (b), strike out the period at the end of the first proviso, substitute a colon and add the following: "*Provided further*, That the President may, when he determines it to be in the national interest, enter into sales agreements with purchasing countries or international organizations which fix prices to be paid by the purchasing countries or international organizations for the defense articles or defense services ordered. Funds available under this part for financing sales shall be used to reimburse the applicable appropriations in the amounts required by the contracts which exceed the price so fixed, except that such reimbursement shall not be required upon determination by the President that the continued production of the defense article being sold is advantageous to the Armed Forces of the United States. Payments by purchasing countries or international organizations which exceed the amounts required by such contracts shall be credited to the account established under section 508. To the maximum extent possible, prices fixed under any such sales agreement shall be sufficient to reimburse the United States for the cost of the defense articles or defense services ordered. The President shall submit to the Congress promptly a detailed report concerning any fixed-price sales agreement under which the aggregate cost to the United States exceeds the aggregate amount required to be paid by the purchasing country or international organization." Sales agreements. *Infra*. Report to Congress.

(e) Amend section 508, which relates to reimbursement as follows: 75 Stat. 437. 22 USC 2316.

(1) After "this part" the first time it appears, insert "have been or".

(2) After "United States Government," the first time it appears insert "receipts received from the disposition of evidences of indebtedness and charges (including fees and premiums) or interest collected".

(3) Strike out "the current applicable appropriation" and substitute "a separate fund account".

(4) Strike out "furnishing further military assistance on cash or credit terms" and substitute "financing sales and guaranties, including the overhead costs thereof".

(f) Amend section 509(b), which relates to exchanges and guaranties, by inserting "(excluding contracts with any agency of the United States Government)" in the second sentence between the last word thereof and the period. 78 Stat. 1011. 22 USC 2317.

78 Stat. 1012.
22 USC 2318.

(g) Amend section 510(a), which relates to special authority, as follows:

(1) In the first sentence strike out "1965" and substitute "1966".

(2) In the second sentence, strike out "1965" and substitute "1966".

75 Stat. 438;
77 Stat. 384.
22 USC 2319.

(h) Amend section 511, which relates to restrictions on military aid to Latin America, as follows:

(1) In subsection (a), strike out "a part may be used during each fiscal year for assistance in implementing a feasible plan for regional defense", and insert "$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"; and amend the proviso to read as follows: ": *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 $55,000,000 limitation provided by this subsection".

(2) Amend subsection (b) to read as follows:

"(b) To the maximum extent feasible, military assistance shall be furnished to American Republics in accordance with joint plans (including joint plans relating to internal security problems) approved by the Organization of American States. The President shall submit semiannual reports to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate on the implementation of this subsection."

Reports to Congress.

77 Stat. 384;
78 Stat. 1012.
22 USC 2320.

(i) Amend section 512, which relates to restrictions on military aid to Africa, as follows:

(1) Strike out "programs described in section 505(b) of this chapter" and substitute "civic action requirements".

(2) Strike out "1965" and substitute "1966".

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:

75 Stat. 440.
22 USC 2355.

(a) Amend section 605, which relates to retention and use of items, as follows:

(1) In the section heading strike out "ITEMS" and substitute "CERTAIN ITEMS AND FUNDS".

Reversion of funds.

22 USC 2151-2271.

(2) Add the following new subsections:

"(c) Funds realized as a result of any failure of a transaction financed under authority of part I of this Act to conform to the requirements of this Act, or to applicable rules and regulations of the United States Government, or to the terms of any agreement or contract entered into under authority of part I of this Act, shall revert to the respective appropriation, fund, or account used to finance such transaction or to the appropriation, fund, or account currently available for the same general purpose.

"(d) Funds realized by the United States Government from the sale, transfer, or disposal of defense articles returned to the United States Government by a recipient country or international organization as no longer needed for the purpose for which furnished shall be credited to the respective appropriation, fund, or account used to procure such defense articles or to the appropriation, fund, or account currently available for the same general purpose."

(b) Amend section 612, which relates to use of foreign currencies, by redesignating subsection (c) as subsection (b), and by striking out the first sentence of the second paragraph of such subsection and by adding at the end thereof the following new paragraph: 78 Stat. 1012. 22 USC 2362.

"The President shall take all appropriate steps to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars. Dollar funds made available pursuant to this Act shall not be expended for goods and services when United States-owned foreign currencies are available for such purposes unless the administrative official approving the voucher certifies as to the reason for the use of dollars in each case." Foreign currencies, use.

(c) Amend section 613, which relates to foreign currencies, as follows: 75 Stat. 443. 22 USC 2363.

(1) Strike out the section heading and substitute the following: "ACCOUNTING, VALUATION, REPORTING, AND ADMINISTRATION OF FOREIGN CURRENCIES".

(2) Add the following new subsection:

"(d) In cases where assistance is to be furnished to any recipient country in furtherance of the purposes of this or any other Act on a basis which will result in the accrual of foreign currency proceeds to the United States, the Secretary of the Treasury shall issue regulations requiring that agreements, in respect of such assistance, include provisions for the receipt of interest income on the foreign currency proceeds deposited in authorized depositaries: *Provided*, That whenever the Secretary of State determines it not to be in the national interest to conclude arrangements for the receipt of interest income he may waive the requirement thereof: *Provided further*, That the Secretary of State, or his delegate, shall promptly make a complete report to the Congress on each such determination and the reasons therefor." Foreign currencies, interest income. Report to Congress.

(d) Amend section 620, which relates to prohibitions against furnishing assistance to Cuba and certain other countries, as follows: 22 USC 2370.

(1) Amend the section heading to read as follows:

"PROHIBITIONS AGAINST FURNISHING ASSISTANCE.—".

(2) Amend subsection (e)(2), which relates to the act of state doctrine, by inserting after the words "other right" each time they appear the words "to property", and by striking out ", or (3) in any case in which the proceedings are commenced after January 1, 1966". 78 Stat. 1013.

(3) In section 620(l), which relates to the prohibition against furnishing assistance to countries which fail to enter into agreements to institute the investment guaranty program and providing protection against certain risks, strike out "December 31, 1965" and substitute "December 31, 1966". 77 Stat. 388.

(4) At the end of such section 620, add the following new subsections:

"(n) In view of the aggression of North Vietnam, the President shall consider denying assistance 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 1965— North Vietnam.

"(A) to prevent ships or aircraft under its registry from transporting to North Vietnam—

"(i) any items of economic assistance,

"(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 65 Stat. 645. 22 USC 1611-1611d.

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.

U.S. fishing vessels.

"(o) In determining whether or not to furnish assistance under this Act, consideration shall be given to excluding from such assistance any country which hereafter seizes, or imposes any penalty or sanction against, any United States fishing vessel on account of its fishing activities in international waters. The provisions of this subsection shall not be applicable in any case governed by international agreement to which the United States is a party."

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:

75 Stat. 446.
22 USC 2382.

(a) Amend section 622, which relates to coordination with foreign policy, as follows:

(1) In subsection (b), immediately after "military assistance" insert "(including any civic action and sales program)".

(2) In subsection (c), immediately after "military assistance program" insert "(including any civic action and sales program)".

75 Stat. 447;
76 Stat. 262.
22 USC 2384.

(b) Amend section 624, which relates to statutory officers, as follows:

(1) In subsection (b), strike out "paragraph (3) of" and "of the officers provided for in paragraphs (1) and (2) of that subsection", and substitute for the latter "of one or more of said officers".

(2) In subsection (d), strike out "Public Law 86–735" wherever it appears and substitute "the Latin American Development Act, as amended".

22 USC 1942 note.
76 Stat. 262;
78 Stat. 1014.
22 USC 2385.

(c) Amend section 625(d), which relates to the employment of personnel, by striking out "twenty" in paragraph (2) and substituting "forty".

75 Stat. 451.
22 USC 2386.

(d) Amend section 626, which relates to experts, consultants, and retired officers, by redesignating subsection (d) as subsection (c).

22 USC 2390.

(e) Amend section 630, which relates to terms of detail or assignment, by inserting "benefits" after "travel expenses," in paragraphs (2) and (4).

22 USC 2391.

(f) Amend section 631, which relates to missions and staffs abroad, by adding the following new subsection:

"(d) Wherever practicable, especially in the case of the smaller programs, assistance under this Act shall be administered under the direction of the Chief of the United States Diplomatic Mission by the principal economic officer of the mission in the case of assistance under part I, and by the senior military officer of the mission in the case of assistance under part II."

22 USC 2395.

(g) Amend section 635(g), which relates to general authorities, by inserting "and sales" after "loans" in the introductory clause.

22 USC 2396.

(h) Amend section 636, which relates to provisions on uses of funds, as follows:

(1) In subsection (e), strike out "section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62)" and substitute "section 301 of the Dual Compensation Act (5 U.S.C. 3105)".

78 Stat. 488.

(2) In subsection (f), strike out "Act to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes" and substitute "Latin American Development Act, as amended".

74 Stat. 869; 77 Stat. 390.

(i) Amend section 637(a), which relates to administrative expenses, by striking out "1965" and "$52,500,000" and substituting "1966" and "$54,240,000", respectively.

22 USC 1942 note.

75 Stat. 460; 78 Stat. 1014.

(j) Amend section 638, which relates to Peace Corps assistance, by striking out all beginning with "; or famine" and substituting a period.

22 USC 2397.

77 Stat. 389.

(k) Add the following new sections:

22 USC 2398.

"SEC. 639. FAMINE AND DISASTER RELIEF.—No provision of this Act shall be construed to prohibit assistance to any country for famine or disaster relief.

"SEC. 640. MILITARY SALES.—Except as otherwise provided in part II of this Act, no provision of this Act shall be construed to prohibit the sale, exchange, or the guaranty of a sale, of defense articles or defense services to any friendly country or international organization if the President shall have found, pursuant to section 503, that the assisting of such country or organization will strengthen the security of the United States and promote world peace."

22 USC 2301-2321.

22 USC 2311.

CHAPTER 3—MISCELLANEOUS PROVISIONS

SEC. 303. Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended, which relates to miscellaneous provisions, is amended as follows:

(a) Amend section 642(a)(2), which relates to statutes repealed, by striking out "143," and all beginning with ": *Provided*," up to the semicolon.

75 Stat. 460.

22 USC 2151 note.

(b) Amend section 644, which relates to definitions, as follows:

22 USC 2403.

(1) In subsection (g), insert ", and not procured in anticipation of military assistance or sales requirements, or pursuant to a military assistance or sales order," after "United States Government" and strike out "as grant assistance".

(2) In subsection (m)(2), strike out "Such price shall be the same standard price" and substitute "Such standard price shall be the same price (including authorized reduced prices)".

(3) Amend the paragraph following the numbered paragraph (3) in subsection (m) as follows:

(A) In the first sentence, insert "and sales" after "Military assistance".

(B) In the second proviso, strike out "by the military assistance program".

(c) Amend section 645, which relates to unexpended balances, by striking out "Public Law 86-735" and substituting "the Latin American Development Act, as amended,".

77 Stat. 390.

22 USC 2404.

(d) At the end thereof add the following new section:

"SEC. 649. LIMITATION ON AGGREGATE AUTHORIZATION FOR USE IN FISCAL YEAR 1966.—Notwithstanding any other provision of this Act, the aggregate of the total amounts authorized to be appropriated for use during the fiscal year 1966 for furnishing assistance and for administrative expenses under this Act shall not exceed $3,360,000,000."

CHAPTER 4—AMENDMENT TO THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

68 Stat. 457; 78 Stat. 1036. 7 USC 1707.

Sales to United Arab Republic, restriction. 7 USC 1701-1709.

Report to Congress.

SEC. 401. Section 107 of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new paragraph:

"No sale under title I of this Act shall be made to the United Arab Republic unless the President determines that such sale is essential to the national interest of the United States. No such sale shall be based on the requirements of the United Arab Republic for more than one fiscal year. The President shall keep the Foreign Relations Committee and the Appropriations Committee 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."

Approved September 6, 1965.

Public Law 89-172

September 8, 1965 [H. R. 6007]

AN ACT

To amend title 10, United States Code, to authorize the promotion of qualified reserve officers of the Air Force to the reserve grades of brigadier general and major general.

Air Force Reserve. Officer promotions.

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 by inserting the following new section after section 8372:

"§ 8373. Commissioned officers: Air Force Reserve; promotion to brigadier general and major general

"(a) Officers of the Air Force Reserve may be promoted to the reserve grades of brigadier general and major general to fill vacancies in those grades.

"(b) The Secretary of the Air Force may furnish the names of any officers of the Air Force Reserve who are assigned to the duties of a general officer of the next higher reserve grade, and who meet standards to be prescribed by the Secretary, to a selection board for consideration for promotion to that grade.

"(c) Of those officers considered under subsection (b), the selection board shall recommend the best qualified of those whom it determines to meet the standards prescribed by the Secretary and to be fully qualified for promotion.

"(d) The name of any officer on a recommended list on June 30, 1964, for promotion to the reserve grade of brigadier general or major general under authority of the provisions of section 8373 of this title, which terminated July 1, 1964, may be placed on the appropriate recommended list maintained under subsection (c) effective July 1, 1964, without the necessity of further selection board action, provided such officer is currently qualified for such promotion. The promotion of any such officer shall be effective for date of rank purposes as of July 1, 1964.

Effective date.

"SEC. 2. This Act is effective July 1, 1964."

Approved September 8, 1965.

Public Law 89-173

AN ACT

September 8, 1965
[H. R. 4822]

To authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the Act of July 14, 1960.

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

National Capital Transportation Act of 1965.

SHORT TITLE

SECTION 1. This Act may be cited as the "National Capital Transportation Act of 1965".

40 USC 651 note.

STATEMENT OF FINDINGS AND PURPOSES

SEC. 2. To further the objectives of the Act of July 14, 1960, the Congress hereby finds and declares that—

(a) A coordinated system of rail rapid transit, bus transportation service, and highways is essential in the National Capital region (as defined in section 103 of the National Capital Transportation Act of 1960 (74 Stat. 537)) 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.

(b) Such a coordinated system should be developed cooperatively by the Federal, State, and local governments of the National Capital region as part of a balanced system of transportation utilizing to their best advantage highways and other transit facilities, and the cost of improved mass transit facilities should be financed, as far as possible, by persons using or benefiting from such facilities and their remaining costs should be shared equitably among the Federal, State, and local governments.

(c) Various steps have already been taken to bring such a system into being, including the preparation by the National Capital Transportation Agency (hereinafter referred to as the "Agency") of a Transit Development Program for the National Capital region, and authorization of the negotiation by the Board of Commissioners of the District of Columbia, the State of Maryland and the Commonwealth of Virginia of an interstate compact to establish a regional transportation organization under the terms of title III of the National Capital Transportation Act of 1960 (74 Stat. 544), and approval by the Congress of the Washington Metropolitan Area Transit Regulation Compact (74 Stat. 1031 and 76 Stat. 764). Nothing in this Act shall be construed as altering or amending the Washington Metropolitan Area Transit Regulation Compact.

D.C. Code 1-1410 note.

(d) While the negotiation of an interstate compact to establish a regional transportation organization has not been completed, and plans for the development of improved mass transit facilities throughout the National Capital region are still being developed, the Agency has prepared a satisfactory Transit Development Program for the establishment, principally within the District of Columbia, of a system of rail rapid transit lines and related facilities which are capable of being extended to serve other parts of the region, and the design and construction of such

40 USC 651 note.

facilities should now proceed as contemplated by the National Capital Transportation Act of 1960.

(e) In developing such improved transportation facilities, it is necessary that the operation of rail rapid transit and bus services be coordinated, and that the creation and operation of public rail rapid transit facilities be accomplished with the least possible adverse effect on the private companies transporting persons in the National Capital region, on their employees, and on persons, families and businesses displaced by the construction of such facilities.

FACILITIES AUTHORIZED

SEC. 3. (a) In accordance with section 204(c) of the National Capital Transportation Act of 1960 (40 U.S.C. 664(c); 74 Stat. 540), the Agency is hereby authorized, subject to the availability of funds, to design, engineer, construct, equip, and take other action as authorized in this Act necessary to provide for the establishment of the system of rail rapid transit lines and related facilities described in the Agency's report entitled "Rail Rapid Transit for the Nation's Capital, January 1965", transmitted to the Congress by the President on February 10, 1965: *Provided*, That the cost of constructing and equipping such lines and facilities, excluding interest costs, shall not exceed $431,000,000.

(b) The work authorized by this section shall be subject to the provisions of the National Capital Transportation Act of 1960, shall be carried out substantially in accordance with the plans and schedules contained in the aforesaid report, and shall be subject to the following:

(1) No portion of any rail rapid transit line or related facility authorized hereunder shall be constructed within the United States Capitol Grounds except upon approval of the Commission for Extension of the United States Capitol.

(2) All construction work performed in, on, under, or over public space in the District of Columbia under the authority of this Act shall, in the interest of public convenience and safety, be performed in accordance with schedules agreed upon, and set forth in one or more written agreements, between the Agency and the Board of Commissioners of the District of Columbia, to the end that such construction work will be coordinated with other construction work in such public space, and consistent with such agreement or agreements, the said Board of Commissioners shall so exercise its jurisdiction and control over such public space as to facilitate the Agency's use and occupation thereof for the purposes of this Act.

(3) The rail rapid transit lines and related facilities authorized by this Act shall not be operated except under contract by private transit companies, private railroads, or other private persons. Such contracts shall be entered into only after formal advertisement and negotiations with all interested and qualified parties, including private mass transportation companies in the National Capital region, and only if the Secretary of Labor certifies that terms and conditions, as prescribed in section 10(c) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1609 (c); 78 Stat. 302, 307), to protect the interests of employees affected by any such contract for the operation of the facilities authorized by this Act, are specified in such contract.

(4) If the contractor selected to operate the facilities authorized by this Act contracts for the construction, alteration, and/or repair of such facilities, the agency which lets the contract to operate the rail rapid transit lines and related facilities shall take such action as may be necessary to insure that all laborers and

mechanics employed in the performance of such construction, alteration, and/or repair 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. The Secretary of Labor shall have with respect to the labor standards specified herein 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)).

49 Stat. 1011; 78 Stat. 238. 40 USC 276a-276a-5.

63 Stat. 108.

(c) Nothing in this Act shall be construed to affect any right to damages which any common carrier engaged in the private transportation of persons in the National Capital region may have by virtue of Public Law 757 of the Eighty-fourth Congress (70 Stat. 598) or Public Law 669 of the Eighty-sixth Congress (74 Stat. 537).

77 Stat. 421.

(d) The protection accorded the private bus companies under the provisions of the National Capital Transportation Act of 1960 (74 Stat. 537), and particularly under section 205(a)(2) thereof, shall not be impaired by this Act.

40 USC 665.

RELOCATION ASSISTANCE

SEC. 4. The Act of October 6, 1964 (78 Stat. 1004) authorizing the Commissioners of the District of Columbia to provide relocation services to individuals, families, business concerns, and nonprofit organizations which may be or have been displaced from real property by actions of the United States or of the District of Columbia, and all regulations made under the authority of such Act are hereby made applicable to individuals, families, business concerns, and nonprofit organizations displaced from real property by actions of the Agency and the Agency shall pay the District of Columbia Relocation Assistance Office for the cost of such relocations: *Provided*, That in the case of any such displacements from real property located in the State of Maryland or the Commonwealth of Virginia the Agency is authorized to make relocation payments directly to the displaced individual, family, business concern, or nonprofit organization, as the case may be, in accordance with the schedule of payments contained in the said Act of October 6, 1964, and such rules and regulations as may be prescribed by the Administrator. In the event real property is acquired for the Agency by another Federal agency or by any State or local agency or authority, the Agency is authorized to reimburse the acquiring agency for relocation payments made by it, up to the amounts specified in the aforesaid Act of October 6, 1964.

D.C. Code 5-728 to 5-732.

APPROPRIATIONS AUTHORIZED

SEC. 5. (a) The cost of designing, engineering, constructing, and equipping the facilities authorized in section 3 hereof shall be financed in part by the Federal and District of Columbia Governments, as follows:

(1) To finance the United States portion there is hereby authorized to be appropriated to the Agency not to exceed $100,000,000, which shall remain available until expended;

(2) To finance the District of Columbia portion there is hereby authorized to be appropriated to the Agency out of the general fund of the District of Columbia not to exceed $50,000,000, which shall remain available until expended;

(b) Subsection (b) of section 1 of the Act entitled "An Act to authorize the Commissioners of the District of Columbia to borrow

funds for capital improvements programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City", approved June 6, 1958, as amended (72 Stat. 183, 77 Stat. 130), is amended by striking "$175,000,000" and inserting in lieu thereof "$225,000,000"; and by inserting immediately before the period at the end of such subsection the following: ": *And provided further*, That $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".

D.C. Code 9-220.

ANNUAL REPORT

SEC. 6. The Agency shall submit to the President for transmission to the Congress at the beginning of each regular session of the Congress an annual report of its operations under this title.

ADVISORY BOARD

SEC. 7. Section 202 of the National Capital Transportation Act of 1960, approved July 14, 1960 (74 Stat. 537), is amended by striking "five" from the third line thereof and inserting in lieu thereof "seven"; by striking "three" from the fourth line and inserting in lieu thereof "four"; and by adding at the end of said section the following: "*Provided*, That if any member of the Advisory Board shall be an employee of the United States or the District of Columbia he shall serve without additional compensation."

40 USC 662.

SEPARABILITY

SEC. 8. If any part of this Act is declared unconstitutional the constitutionality of no other part of the Act shall be affected thereby.

Approved September 8, 1965.

Public Law 89-174

AN ACT

September 9, 1965
[H. R. 6927]

To establish a Department of Housing and Urban 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 "Department of Housing and Urban Development Act".

Department of Housing and Urban Development Act.

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of our people require, as a matter of national purpose, sound development of the Nation's communities and metropolitan areas in which the vast majority of its people live and work.

To carry out such purpose, and in recognition of the increasing importance of housing and urban development in our national life, the Congress finds that establishment of an executive department is desirable to achieve the best administration of the principal programs of the Federal Government which provide assistance for housing and for the development of the Nation's communities; to assist the President in achieving maximum coordination of the various Federal activities which have a major effect upon urban community, suburban, or metropolitan development; to encourage the solution of problems of housing, urban development, and mass transportation through State, county, town, village, or other local and private action, including promotion of interstate, regional, and metropolitan cooperation; to encourage the maximum contributions that may be made by vigorous private homebuilding and mortgage lending industries to housing, urban development, and the national economy; and to provide for full and appropriate consideration, at the national level, of the needs and interests of the Nation's communities and of the people who live and work in them.

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 Housing and Urban Development (hereinafter referred to as the "Department"). There shall be at the head of the Department a Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary"), who shall be appointed by the President by and with the advice and consent of the Senate. The Department shall be administered under the supervision and direction of the Secretary. The Secretary shall receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments.

Appointment of Secretary.

(b) The Secretary shall, among his responsibilities, advise the President with respect to Federal programs and activities relating to housing and urban development; develop and recommend to the President policies for fostering the orderly growth and development of the Nation's urban areas; exercise leadership at the direction of the President in coordinating Federal activities affecting housing and urban development; provide technical assistance and information, including a clearinghouse service to aid State, county, town, village, or other local governments in developing solutions to community and metropolitan development problems; consult and cooperate with State Governors and State agencies, including, when appropriate, holding informal public hearings, with respect to Federal and State programs

Duties.

for assisting communities in developing solutions to community and metropolitan development problems and for encouraging effective regional cooperation in the planning and conduct of community and metropolitan development programs and projects; encourage comprehensive planning by the State aud local governments with a view to coordinating Federal, State, and local urban and community development activities; encourage private enterprise to serve as large a part of the Nation's total housing and urban development needs as it can and develop the fullest cooperation with private enterprise in achieving the objectives of the Department; and conduct continuing comprehensive studies, and make available findings, with respect to the problems of housing and urban development.

(c) Nothing in this Act shall be construed to deny or limit the benefits of any program, function, or activity assigned to the Department by this or any other Act to any community on the basis of its population or corporate status, except as may be expressly provided by law.

UNDER SECRETARY AND OTHER OFFICERS AND OFFICES

Under Secretary. Assistant Secretaries. Appointment.

SEC. 4. (a) There shall be in the Department an Under Secretary, four Assistant Secretaries, and a General Counsel, who shall be appointed by the President by and with the advice and consent of the Senate, who shall receive compensation at the rate now or hereafter provided by law for under secretaries, assistant secretaries, and general counsels, respectively, of executive departments, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time. There shall be in the Department a Federal Housing Commissioner, who shall be one of the Assistant Secretaries, who shall head a Federal Housing Administration within the Department, who shall have such duties and powers as may be prescribed by the Secretary, and who shall administer, under the supervision and direction of the Secretary, departmental programs relating to the private mortgage market.

Federal Housing Commissioner.

Assistant Secretary for Administration.

(b) 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, and whose annual rate of compensation shall be the same as that now or hereafter provided by or pursuant to law for assistant secretaries for administration of executive departments.

Director of Urban Program Coordination.

(c) There shall be in the Department a Director of Urban Program Coordination, who shall be designated by the Secretary. He shall assist the Secretary in carrying out his responsibilities to the President with respect to achieving maximum coordination of the programs of the various departments and agencies of the Government which have a major impact on community development. In providing such assistance, the Director shall make such studies of urban and community problems as the Secretary shall request, and shall develop recommendations relating to the administration of Federal programs affecting such problems, particularly with respect to achieving effective cooperation among the Federal, State, and local agencies concerned. Subject to the direction of the Secretary, the Director shall, in carrying out his responsibilities, (1) establish and maintain close liaison with the Federal departments and agencies concerned, and (2) consult with State, local, and regional officials, and consider their recommendations with respect to such programs.

TRANSFERS TO DEPARTMENT

SEC. 5. (a) Except as otherwise provided in subsection (b) of this section, there are hereby transferred to and vested in the Secretary all of the functions, powers, and duties of the Housing and Home Finance Agency, of the Federal Housing Administration and the Public Housing Administration in that Agency, and of the heads and other officers and offices of said agencies.

(b) The Federal National Mortgage Association, together with its functions, powers, and duties, is hereby transferred to the Department. The next to the last sentence of section 308 of the Federal National Mortgage Association Charter Act and the item numbered (94) of section 303(e) of the Federal Executive Salary Act of 1964 are hereby repealed, and the position of the President of said Association is hereby allocated among the positions referred to in section 7(c) hereof.

Repeals. 68 Stat. 620. 12 USC 1723. 78 Stat. 421. 5 USC 2211.

(c) The President shall undertake studies of the organization of housing and urban development functions and programs within the Federal Government, and he shall provide the Congress with the findings and conclusions of such studies, together with his recommendations regarding the transfer of such functions and programs to or from the Department. Notwithstanding any other provision of this Act, none of the functions of the Secretary of the Interior authorized under the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) or other functions carried out by the Bureau of Outdoor Recreation shall be transferred from the Department of the Interior or in any way be limited geographically unless specifically provided for by reorganization plan pursuant to provisions of the Reorganization Act of 1949 (63 Stat. 203), as amended, or by statute.

Report to Congress.

16 USC 460*l*-4 note.

5 USC 133z note.

CONFORMING AMENDMENTS

SEC. 6. (a) Section 19(d)(1) of title 3 of the United States Code is hereby amended by striking out the period at the end thereof and inserting a comma and the following: "Secretary of Health, Education, and Welfare, Secretary of Housing and Urban Development."

62 Stat. 677.

(b) Section 158 of the Revised Statutes (5 U.S.C. 1) is amended by adding at the end thereof:

"Eleventh. The Department of Housing and Urban Development."

(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.

ADMINISTRATIVE PROVISIONS

SEC. 7. (a) The personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, or other funds held, used, arising from, or available or to be made available in connection with, the functions, powers, and duties transferred by section 5 of this Act are hereby transferred with such functions, powers, and duties, respectively.

Transfer of personnel, assets, etc.

(b) No transfer of functions, powers, and duties shall at any time be made within the Department in connection with the secondary market operations of the Federal National Mortgage Association unless the Secretary finds that the rights and interests of owners of outstanding common stock issued under the Federal National Mortgage Association Charter Act will not be adversely affected thereby.

Restriction.

68 Stat. 622. 12 USC 1716 note.

Compensation of personnel.

(c) 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 attorneys, as shall be necessary to carry out the provisions of this Act and to prescribe their authority and duties: *Provided*, That any other provision of law to the contrary notwithstanding, the Secretary may fix the compensation for not more than six positions in the Department at the annual rate applicable to positions in level V of the Federal Executive Salary Schedule provided by the Federal Executive Salary Act of 1964.

78 Stat. 419.
5 USC 2211.

Delegation of authority.

(d) The Secretary may delegate any of his 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. The second proviso of section 101(c) of the Housing Act of 1949 is hereby repealed.

Repeal.
68 Stat. 623.
42 USC 1451.

(e) The Secretary may obtain services as authorized by section 15 of the Act of August 2, 1946, at rates not to exceed $100 per diem for individuals.

60 Stat. 810.
5 USC 55a.

Working capital fund.

(f) 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. In addition to amounts appropriated to provide capital for said fund, which appropriations are hereby authorized, the fund shall be capitalized by transfer to it of such stocks of supplies and equipment on hand or on order as the Secretary shall direct. Such fund shall be reimbursed from available funds of agencies and offices in the Department for which services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and for depreciation of equipment.

Seal.

(g) 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.

ANNUAL REPORT

SEC. 8. The Secretary shall, as soon as practicable after the end of each calendar year, make a report to the President for submission to the Congress on the activities of the Department during the preceding calendar year.

SAVINGS PROVISIONS

SEC. 9. (a) No cause of action by or against any agency whose functions are transferred by this Act, or by or against any officer of any agency in his official capacity, shall abate by reason of this enactment. Such causes of action may be asserted by or against the United States or such official of the Department as may be appropriate.

(b) No suit, action, or other proceeding commenced by or against any agency whose functions are transferred by this Act, or by or against any officer of any such agency in his official capacity, shall abate by reason of the enactment of this Act. A court may at any time during the pendency of the litigation, on its own motion or that of any party, order that the same may be maintained by or against the United States or such official of the Department as may be appropriate.

(c) Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. All rules, regulations, orders, authorizations, delegations, or other actions duly issued, made, or taken by or pursuant to applicable law, prior to the effective date of this Act, by any agency, officer, or office pertaining to any functions, powers, and duties transferred by this Act shall continue in full force and effect after the effective date of this Act until modified or rescinded by the Secretary or such other officer or office of the Department as, in accordance with applicable law, may be appropriate. With respect to any function, power, or duty transferred by or under this Act and exercised hereafter, reference in another Federal law to the Housing and Home Finance Agency or to any officer, office, or agency therein, except the Federal National Mortgage Association and its officers, shall be deemed to mean the Secretary. The positions and agencies heretofore established by law in connection with the functions, powers, and duties transferred under section 5(a) of this Act shall lapse.

SEPARABILITY

SEC. 10. Notwithstanding any other evidence of the intent of Congress, it is hereby declared to be the intent of Congress that if any provision of this Act, or the application thereof to any persons or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act or its application to other persons and circumstances, but shall be confined in its operation to the provision of this Act, or the application thereof to the persons and circumstances, directly involved in the controversy in which such judgment shall have been rendered.

EFFECTIVE DATE AND INTERIM APPOINTMENTS

SEC. 11. (a) The provisions of this Act shall take effect upon the expiration of the first period of sixty calendar days following the date on which this Act is approved by the President, or on such earlier date as the President shall specify by Executive order published in the Federal Register, except that any of the officers provided for in sections 3(a), 4(a), and 4(b) of this Act may be nominated and appointed, as provided in such sections, at any time after the date this Act is approved by the President.

(b) In the event that one or more officers required by this Act to be appointed, by and with the advice and consent of the Senate, shall not have entered upon office on the effective date of this Act, the President may designate any person who was an officer of the Housing and Home Finance Agency immediately prior to said effective date to act in such office until the office is filled as provided in this Act or until the expiration of the first period of sixty days following said effective date, whichever shall first occur. While so acting such persons shall receive compensation at the rates provided by this Act for the respective offices in which they act.

Approved September 9, 1965.

Public Law 89-175

September 9, 1965
[H. R. 5280]

AN ACT

To provide for exemptions from the antitrust laws to assist in safeguarding the balance of payments position of the United States.

International balance of payments.
Voluntary agreement program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is declared to be the policy of Congress to safeguard the position of the United States with respect to its international balance of payments. To effectuate this policy the President shall undertake continuous surveillance over the private flow of dollar funds from the United States to foreign countries, the solicitation of cooperation by banks, investment bankers and companies, securities brokers and dealers, insurance companies, finance companies, pension funds, charitable trusts and foundations, and educational institutions, to curtail expansion of such flow, and the authorization of such voluntary agreements or programs as may be necessary and appropriate to safeguard the position of the United States with respect to its international balance of payments.

Consultation with financial interests.

SEC. 2. (a) The President is authorized to consult with representatives of persons described in section 1 to stimulate voluntary efforts to aid in the improvement of the balance of payments position of the United States.

Formulation of agreements.
Publication in Federal Register.

(b) When the President finds it necessary and appropriate to safeguard the United States balance of payments position, he may request persons described in section 1 to discuss the formulation of voluntary agreements or programs to achieve such objective. When such a request is made, a notice shall be promptly published by the President in the Federal Register, listing the persons invited to attend and the time and place at which the discussion is to be held. If the President makes such a request, no such discussion nor the formulation of any voluntary agreement or program in the course of such discussion shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States: *Provided*, That no act or omission to act in effectuation of such voluntary agreement or program is taken until after such voluntary agreement or program is approved in accordance with the provisions of subsections (c) and (d) hereof: *And provided further*, That any meeting or discussion comply with the requirements of subsection (e).

38 Stat. 717;
52 Stat. 117.
15 USC 58.

Approval of agreements.

(c) The President may approve, subject to such conditions as he may wish to impose, any voluntary agreement or program among persons described in section 1 that he finds to be necessary and appropriate to safeguard the United States balance-of-payments position. No act or omission to act which occurs pursuant to any approved voluntary agreement or program by a person described in section 1 who has accepted a request of the President to participate shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act: *Provided*, That any meeting or discussion pursuant to any such agreement or program comply with the requirements of subsection (e).

Program review by Attorney General.

(d) No voluntary agreement or program shall be approved except after submission to the Attorney General for his review as to its effect on competition and a finding by the Attorney General after consultation with the delegate of the President that the actual or potential detriment to competition is outweighed by the benefits of such agreement or program to the safeguarding of the United States balance-of-payments position. The finding of the Attorney General, together with his reasons, shall be published in the Federal Register not later than the time required by section 3 for publication of any approved agreement or program: *Provided, however*, That where the President

Publication in Federal Register.

finds that the balance-of-payments position of the United States requires immediate approval of an agreement or program he may waive the requirement for a finding by the Attorney General and may approve such agreement or program.

Meetings of financial interests. Conditions.

(e) Any meeting of representatives of persons described in section 1 requested by the President pursuant to any approved voluntary agreement or program or meetings or discussions pursuant to a request made in accordance with subsection (b), shall comply with each of the following conditions: (1) The Attorney General shall be given reasonable notice prior to any meeting, with such notice to include a copy of the agenda, a list of the participants, and the time and place of the meeting; (2) meetings shall be held only at the call of a full-time salaried officer or employee of such department or agency as the President shall designate, and only with an agenda formulated by such officer or employee; (3) meetings shall be presided over by an officer or employee of the type mentioned in (2), who shall have the authority and be required to adjourn any meeting whenever he or a representative of the Attorney General considers adjournment to be in the public interest; (4) a verbatim transcript shall be kept of all proceedings at each meeting, including the names of all persons present, their affiliations, and the capacity in which they attend; and (5) a copy of each transcript shall be promptly provided for retention by the Attorney General.

Review of agreements.

(f) The Attorney General shall continuously review the operation of any agreement or program approved pursuant to this Act, and shall recommend to the President the withdrawal or suspension of such approval if in his judgment after consultation with the delegate of the President its actual or potential detriment to competition outweighs its benefit to the safeguarding of the United States balance-of-payments position.

Records.

(g) The Attorney General shall have the authority to require the production of such books, records, or other information as shall have a direct bearing upon such agreement or program and the implementation thereof from any participant in a voluntary agreement or program as he may determine reasonably necessary for the performance of his responsibilities under this Act.

Withdrawal of approval.

(h) The President may withdraw any request or finding made hereunder or approval granted hereunder, in which case, or upon termination of this Act, the provisions of this section shall not apply to any subsequent act or omission to act.

Reports to President and Congress.

SEC. 3. On or before January 1, 1966, and at least once every six months thereafter, the Attorney General shall submit to the Congress and to the President reports on the performance of his responsibilities under this Act. In such reports the Attorney General shall indicate, among other things, the extent to which his review of approved agreements or programs has disclosed any actual or potential detriment to competition. The full text of each voluntary agreement or program approved pursuant to this Act shall be transmitted to the Attorney General immediately upon the approval thereof, and shall be published by the President in the Federal Register not less than three days prior to its effective date unless the President finds that publication of the full text of any agreement or program would be inconsistent with the national interest in which case only a summary need be published.

Publication in Federal Register.

Reports.

SEC. 4. The President may require such reports as he deems necessary to carry out the policy of this Act from any person, firm, or corporation within the United States concerning any activities authorized by the provisions of this Act.

Authority delegation; limitation.

SEC. 5. The President may delegate the authority granted him by this Act, except that the authority granted may be delegated only to

officials appointed by the President, with the advice and consent of the Senate, whether acting singly or jointly or as a committee or board: *Provided, however*, That the President may not delegate his authority under section 2(d) to waive the requirements for a finding by the Attorney General and approve an agreement or program where he has found that the balance-of-payments position of the United States requires immediate approval.

Termination.

SEC. 6. This Act and all authority conferred thereunder shall terminate twenty months after it becomes law, or on such date prior thereto as the President shall find that the authority conferred by this Act is no longer necessary as a means of safeguarding the balance-of-payments position and shall by proclamation so declare.

"Person."

SEC. 7. As used in this Act the word "person" includes corporations, companies, associations, firms, partnerships, societies, and joint stock companies, as well as individuals, satisfying the description contained in section 1.

Approved September 9, 1965.

Public Law 89-176

September 10, 1965
[H. R. 6964]

AN ACT

To amend section 4082 of title 18, United States Code, to facilitate the rehabilitation of persons convicted of offenses against the United States.

U.S. prisoners, rehabilitation.
62 Stat. 850.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4082 of title 18, United States Code, is amended to read:

"§ 4082. Commitment to Attorney General; residential treatment centers; extension of limits of confinement; work furlough

"(a) A person convicted of an offense against the United States shall be committed, for such term of imprisonment as the court may direct, to the custody of the Attorney General of the United States, who shall designate the place of confinement where the sentence shall be served.

"(b) The Attorney General may designate as a place of confinement any available, suitable, and appropriate institution or facility, whether maintained by the Federal Government or otherwise, and whether within or without the judicial district in which the person was convicted, and may at any time transfer a person from one place of confinement to another.

"(c) The Attorney General may extend the limits of the place of confinement of a prisoner as to whom there is reasonable cause to believe he will honor his trust, by authorizing him, under prescribed conditions, to—

"(1) visit a specifically designated place or places for a period not to exceed thirty days and return to the same or another institution or facility. An extension of limits may be granted only to permit a visit to a dying relative, attendance at the funeral of a relative, the obtaining of medical services not otherwise available, the contacting of prospective employers, or for any other compelling reason consistent with the public interest; or

"(2) work at paid employment or participate in a training program in the community on a voluntary basis while continuing as a prisoner of the institution or facility to which he is committed, provided that—

"(i) representatives of local union central bodies or similar labor union organizations are consulted;

"(ii) such paid employment will not result in the displacement of employed workers, or be applied in skills, crafts, or trades in which there is a surplus of available gainful labor in the locality, or impair existing contracts for services; and

"(iii) the rates of pay and other conditions of employment will not be less than those paid or provided for work of similar nature in the locality in which the work is to be performed.

A prisoner authorized to work at paid employment in the community under this subsection may be required to pay, and the Attorney General is authorized to collect, such costs incident to the prisoner's confinement as the Attorney General deems appropriate and reasonable. Collections shall be deposited in the Treasury of the United States as miscellaneous receipts.

"(d) The willful failure of a prisoner to remain within the extended limits of his confinement, or to return within the time prescribed to an institution or facility designated by the Attorney General, shall be deemed an escape from the custody of the Attorney General punishable as provided in chapter 35 of this title.

18 USC 751-757.

"(e) The authority conferred upon the Attorney General by this section shall extend to all persons committed to the National Training School for Boys.

Definitions.

"(f) As used in this section—

"the term 'facility' shall include a residential community treatment center; and

"the term 'relative' shall mean a spouse, child (including stepchild, adopted child or child as to whom the prisoner, though not a natural parent, has acted in the place of a parent), parent (including a person who, though not a natural parent, has acted in the place of a parent), brother, or sister."

SEC. 2. The chapter analysis of section 4082 of title 18, United States Code, is amended to read:

"Sec. 4082. Commitment to Attorney General; residential treatment centers, extension of limits of confinement; work furlough."

SEC. 3. Sections 751 and 752 of title 18, United States Code, are amended by inserting the words "or facility" following the word "institution".

62 Stat. 734; 77 Stat. 834.

Approved September 10, 1965.

Public Law 89-177

September 10, 1965 [H. R. 496]

AN ACT

To designate lock and dam 3 on the Cape Fear River, North Carolina, as the William O. Huske lock and dam.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lock and dam 3 located on the Cape Fear River, North Carolina, shall hereafter be known and designated as the "William O. Huske lock and dam". Any law, regulation, map, document, or record of the United States in which such lock and dam is referred to shall be held and considered to refer to such lock and dam as the "William O. Huske lock and dam".

William O. Huske lock and dam, N.C.

Approved September 10, 1965.

Public Law 89-178

September 10, 1965
[H. R. 2263]

AN ACT

To provide for an objective, thorough, and nationwide analysis and reevaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation.

Correctional Rehabilitation Study 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 "Correctional Rehabilitation Study Act of 1965".

68 Stat. 662.
29 USC 42.

SEC. 2. Section 12 of the Vocational Rehabilitation Act (29 U.S.C. ch. 4) is amended to read as follows:

"GRANTS FOR SPECIAL PROJECTS IN CORRECTIONAL REHABILITATION

"SEC. 12. (a)(1) The Secretary is authorized, with the advice of the National Advisory Council on Correctional Manpower and Training, established by subsection (b) of this section, to make grants to pay part of the cost of carrying out a program of research and study of the personnel practices and current and projected personnel needs in the field of correctional rehabilitation and of the availability and adequacy of the educational and training resources for persons in, or preparing to enter such field, including but not limited to the availability of educational opportunities for persons in, or preparing to enter, such field, the adequacy of the existing curriculum and teaching methods and practices involved in the preparation of persons to work in such field, the effectiveness of present methods of recruiting personnel for such field and the extent to which personnel in the field are utilized in the manner which makes the best use of their qualifications. Such a program of research and study is to be on a scale commensurate with the problem.

"(2) Such grants may be made to one or more organizations, but only on condition that the organization will undertake and conduct, or if more than one organization is to receive such grants, only on condition that such organizations have agreed among themselves to undertake and conduct, a coordinated program of research into and study of all aspects of the resources, needs, and practices referred to in paragraph (1).

"Organization."

"(3) As used in paragraph (2), the term 'organization' means a nongovernmental agency, organization, or commission, composed of representatives of leading professional associations, organizations, or agencies active in the field of corrections.

National Advisory Council on Correctional Manpower and Training.

"(b)(1) There is hereby established in the Department of Health, Education, and Welfare a National Advisory Council on Correctional Manpower and Training, consisting of the Secretary, or his designee, who shall be Chairman, and twelve members, not otherwise in the regular full-time employ of the United States, appointed without regard to the civil service laws by the Secretary after consultation with the Attorney General of the United States. The twelve appointed members shall be selected from among leaders in fields concerned with correctional rehabilitation or in public affairs, four of whom shall be selected from among State or local correctional services. In selecting persons for appointment to the Council, consideration shall be given to such factors, among others, as (1) familiarity with correctional manpower problems, and (2) particular concern with the training of persons in or preparing to enter the field of correctional rehabilitation.

Establishment.

"(2) The Council shall consider all applications for grants under this section and shall make recommendations to the Secretary with respect to approval of applications for and the amounts of grants under this section.

"(3) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall 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 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.

Council members, compensation.

60 Stat. 808; 75 Stat. 339, 340.

"(c) For carrying out the purposes of this section there is hereby authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $500,000 to be used for a grant or grants to help initiate the research and study provided for in this section; and the sum of $800,000 for each of the two succeeding fiscal years for the making of such grants as may be necessary to carry the research and study to completion. The terms of any such grant shall provide that the research and study shall be completed not later than three years from the date it is inaugurated; that the grantee shall file annual reports with the Secretary, the Congress, the Governors of the several States and the President, among others the grantee may select; and that the final report shall be similarly filed.

Appropriation.

Report to President and Congress, etc.

"(d) Any grantee agency, organization, or commission is authorized to accept additional financial support from private or other public sources to assist in carrying on the project authorized by this section."

Approved September 10, 1965.

Public Law 89-179

September 11, 1965
[H. R. 1044]

AN ACT

To authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands.

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 the Navy, or his designee, is authorized to convey to the city of Norfolk, State of Virginia, subject to such terms and conditions as the Secretary of the Navy, or his designee, shall deem to be in the public interest, all right, title, and interest of the United States in and to the land located in the city of Norfolk, State of Virginia, with the buildings and improvements thereon, described substantially as follows:

Norfolk, Va. Land exchange with U.S.

Description.

Beginning at the northeast corner of Court Street (formerly Avon Street) and Williamson's Lane, thence running in a northerly direction along the eastern side of said Court Street a distance of 97.2 feet, more or less, thence in an easterly direction along the dividing line between the property herein described and the property now or formerly owned by Williams and Reed, Incorporated, a distance of 133.98 feet, more or less, to a point; said point being the northeast corner of the building herein described, the property of the Prospect Holding Corporation. Thence in a southerly direction along the dividing line between this property and the property now or formerly belonging to Gardiner, to its intersection with the northern side of Williamson's Lane, a distance of 80.37 feet, more or less, to a point; thence in a westerly direction along the said northern side of Williamson's Lane, a distance of 162.69 feet, more or less, to the point of beginning.

SEC. 2. In consideration of the conveyance by the United States of the aforesaid lands, the city of Norfolk, State of Virginia, shall convey to the United States, such lands located in the city of Norfolk, State of Virginia, together with such buildings and improvements thereon or to be constructed thereon, as are acceptable to the Secretary of the Navy, or his designee, and subject to such conditions as are acceptable to the Secretary of the Navy, or his designee.

SEC. 3. The Secretary of the Navy, or his designee, is also authorized to accept from the city of Norfolk, State of Virginia, such appropriate interests in other land as may be considered necessary for protection of the interests of the United States in connection with the exchange.

Approved September 11, 1965.

Public Law 89-180

September 11, 1965
[H. R. 4905]

AN ACT

To provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Florida.

Okaloosa County, Fla. Real property conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to section 3 of this Act, the Secretary of the Air Force shall donate, grant, and convey to the Board of Public Instruction for the County of Okaloosa, Florida, all right, title, and interest of the United States in and to the real property described in section 2 of this Act for use as a permanent site for Okaloosa-Walton Junior College.

Description.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows:

Beginning at the southeast corner of section 31, township 1 north, range 22 west, run north 0 degrees 25 minutes east 2,800.00 feet; thence north 88 degrees 48 minutes west 2,100.00 feet to concrete monument; thence south 0 degrees 25 minutes west 2,800.00 feet to a concrete monument; thence south 88 degrees 48 minutes east 2,100.00 feet to point of beginning.

Also:

Beginning at the southwest corner of section 32, township 1 north, range 22 west, run north 0 degrees 25 minutes east 2,800.00 feet to a concrete monument; thence south 88 degrees 48 minutes east, 2,000.00 feet; thence south 0 degrees 25 minutes west 2,800.00 feet to a concrete monument; thence north 88 degrees 48 minutes west 2,000.00 feet to point of beginning.

All containing 263.544 acres. According to redependent survey 1937.

Okaloosa-Walton Junior College site.

SEC. 3. The conveyance provided for by the first section of this Act shall be subject to the condition that the real property so conveyed shall be used as a permanent site for Okaloosa-Walton Junior College and if such property is not used for such purpose, all right, title, and interest in and to such real property shall revert to the United States, which shall have the right of immediate entry thereon, and to such other conditions as the Secretary of the Air Force may prescribe to protect the interest of the United States.

Approved September 11, 1965.

Public Law 89-181

AN ACT

September 11, 1965
[S. 511]

To increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory.

Gorgas Memorial Laboratory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective for fiscal years ending after June 30, 1963, the first section of the Act entitled "An Act to authorize a permanent annual appropriation for the maintenance and operation of the Gorgas Memorial Laboratory", approved May 7, 1928, as amended (45 Stat. 491; 22 U.S.C. 278), is amended by striking out "$250,000" and inserting in lieu thereof "not to exceed $500,000".

73 Stat. 573.

Approved September 11, 1965.

Public Law 89-182

AN ACT

September 14, 1965
[S. 949]

To promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise.

State Technical Services Act of 1965.

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

DECLARATION OF PURPOSE

SECTION 1. That Congress finds that wider diffusion and more effective application of science and technology in business, commerce, and industry are essential to the growth of the economy, to higher levels of employment, and to the competitive position of United States products in world markets. The Congress also finds that the benefits of federally financed research, as well as other research, must be placed more effectively in the hands of American business, commerce, and industrial establishments. The Congress further finds that the several States through cooperation with universities, communities, and industries can contribute significantly to these purposes by providing technical services designed to encourage a more effective application of science and technology to both new and established business, commerce, and industrial establishments. The Congress, therefore, declares that the purpose of this Act is to provide a national program of incentives and support for the several States individually and in cooperation with each other in their establishing and maintaining State and interstate technical service programs designed to achieve these ends.

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) "Technical services" means activities or programs designed to enable businesses, commerce, and industrial establishments to acquire and use scientific and engineering information more effectively through such means as—

(1) preparing and disseminating technical reports, abstracts, computer tapes, microfilm, reviews, and similar scientific or engineering information, including the establishment of State or interstate technical information centers for this purpose;

(2) providing a reference service to identify sources of engineering and other scientific expertise; and

(3) sponsoring industrial workshops, seminars, training programs, extension courses, demonstrations, and field visits designed to encourage the more effective application of scientific and engineering information.

(b) "Designated agency" means the institution or agency which has been designated as administrator of the program for any State or States under section 3 or section 7 of this Act.

(c) "Qualified institution" means (1) an institution of higher learning with a program leading to a degree in science, engineering, or business administration which is accredited by a nationally recognized accrediting agency or association to be listed by the United States Commissioner of Education, or such an institution which is listed separately after evaluation by the United States Commissioner of Education pursuant to this subsection; or (2) a State agency or a private, nonprofit institution which meets criteria of competence established by the Secretary of Commerce and published in the Federal Register. For the purpose of this subsection the United States Commissioner of Education shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of science, engineering, or business education or training offered. When the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such programs, he shall publish a list of institutions he finds qualified after prior evaluation by an advisory committee, composed of persons he determines to be specially qualified to evaluate the training provided under such programs.

(d) "Participating institution" means each qualified institution in a State, which participates in the administration or execution of the State technical services program as provided by this Act.

(e) "Secretary" means the Secretary of Commerce.

(f) "State" means one of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands.

(g) "Governor", in the case of the District of Columbia, means the Board of Commissioners of the District of Columbia.

SELECTION OF DESIGNATED AGENCY

SEC. 3. The Governor of any State which wishes to receive Federal payments under this Act in support of its existing or planned technical services program shall designate, under appropriate State laws and regulations, an institution or agency to administer and coordinate that program and to prepare and submit a plan and programs to the Secretary of Commerce for approval under this Act.

PLANS AND PROGRAMS

SEC. 4. The designated agency shall prepare and submit to the Secretary in accordance with such regulations as he may publish—

Five-year plan.

(a) A five-year plan which may be revised annually and which shall: (1) outline the technological and economic conditions of the State, taking into account its region, business, commerce, and its industrial potential and identify the major regional and industrial problems; (2) identify the general approaches and methods to be used in the solution of these problems and outline the means for measuring the impact of such assistance on the State or regional economy; and

(3) explain the methods to be used in administering and coordinating the technical services program.

Annual technical services program.

(b) An annual technical services program which shall (1) identify specific methods, which may include contracts, for accomplishing particular goals and outline the likely impact of these methods in terms of the five-year plan; (2) contain a detailed budget, together with procedures for adequate fiscal control, fund accounting, and auditing, to assure proper disbursement for funds paid to the State under this Act; and (3) indicate the specific responsibilities assigned to each participating institution in the State.

REVIEW OF PLANS AND PROGRAMS BY SECRETARY

SEC. 5. The Secretary shall not accept the five-year plan of a State for review and approval under this Act unless the Governor of the State or his designee determines and certifies that the plan is consistent with State policies and objectives; and the Secretary shall not accept an annual technical services program for review and approval under this Act unless the designated agency has, as certified thereto by the Governor or his designee—

(a) invited all qualified institutions in the State to submit proposals for providing technical services under the Act;

(b) coordinated its programs with other States and with other publicly supported activities within the State, as appropriate;

Conflict of interest.

(c) established adequate rules to insure that no officer or employee of the State, the designated agency, or any participating institution, shall receive compensation for technical services he performs, for which funds are provided under this Act, from sources other than his employer, and shall not otherwise maintain any private interest in conflict with his public responsibility;

(d) determined that matching funds will be available from State or other non-Federal sources;

(e) determined that such technical services program does not provide a service which on the date of such certification is economically and readily available in such State from private technical services, professional consultants, or private institutions;

(f) planned no services specially related to a particular firm or company, public work, or other capital project except insofar as the services are of general concern to the industry and commerce of the community, State, or region;

Availability of information.

(g) provided for making public all reports prepared in the course of furnishing technical services supported under this Act or for making them available at cost to any person on request.

APPROVAL BY SECRETARY

SEC. 6. The Secretary shall review the five-year plan and each annual program submitted by a designated agency under section 4 or section 7, and shall approve only those which (1) bear the certification required by the Governor or his designee under section 5; (2) comply with regulations and meet criteria that the Secretary shall promulgate and publish in the Federal Register; and (3) otherwise accomplish the purposes of this Act.

INTERSTATE PROGRAMS

SEC. 7. Two or more States may cooperate in administering and coordinating their plans and programs supported under this Act, in which event all or part of the sums authorized and payable under section 10 to all of the cooperating States may be paid to the designated

agency, participating institutions, or persons authorized to receive them under the terms of the agreement between the cooperating States. When the cooperative agreement designates an interstate agency to act on behalf of all of the cooperating States, it shall submit to the Secretary for review and approval under section 6 an interstate five-year plan and an annual interstate technical services program which, as nearly as practicable, shall meet the requirements of section 4 and section 5.

CONSENT OF CONGRESS

Interstate compacts.

SEC. 8. (a) The consent of the Congress is given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance and in designating agencies, under section 7, for accomplishing the purposes of this Act.

(b) The right to alter, amend, or repeal this section, or consent granted by this section, is expressly reserved.

ADVISORY COUNCIL

SEC. 9. Each designated agency shall appoint an advisory council for technical services, the members of which shall represent broad community interests and shall be qualified to evaluate programs submitted under section 4. The advisory council shall review each annual program, evaluate its relation to the purposes of this Act, and report its findings to the designated agency and the Governor or his designee. Each report of each advisory council shall be available to the Secretary on request. Members of any such advisory council shall not be compensated for serving as such, but may be reimbursed for necessary expenses incurred by them in connection with attending meetings of any advisory council of which they are members.

Reports.

Expenses.

AUTHORIZATION OF APPROPRIATIONS AND PAYMENTS

SEC. 10. (a) There are authorized to be appropriated for the purposes of this Act, $10,000,000 for the fiscal year ending June 30, 1966; $20,000,000 for the fiscal year ending June 30, 1967; $30,000,000 for the fiscal year ending June 30, 1968.

(b) From these amounts, the Secretary is authorized to make an annual payment to each designated agency, participating institution, or person authorized to receive payments in support of each approved technical services program. Maximum amounts which may be paid to the States under this subsection shall be fixed in accordance with regulations which the Secretary shall promulgate and publish in the Federal Register from time to time, considering (1) population according to the last decennial census; (2) business, commercial, industrial and economic development and productive efficiency; and (3) technical resources.

Publication in Federal Register.

(c) The Secretary may reserve an amount equal to not more than 20 per centum of the total amount appropriated for each year under this section and is authorized to make payments from such amount to any designated agency or participating institution for technical services programs which he determines have special merit or to any qualified institution for additional programs which he determines are necessary to accomplish the purposes of this Act, under criteria and regulations that he shall promulgate and publish in the Federal Register.

Publication in Federal Register.

(d) An amount equal to not more than 5 per centum of the total amount appropriated each year under this section shall be available to the Secretary for the direct expenses of administering this Act.

Restrictions.

(e) (1) No amount paid for any technical services program under subsection (b) or (c) shall exceed the amount of non-Federal funds expended to carry out such program: *Provided*, That the Secretary may pay an amount not to exceed $25,000 a year for each of the first three fiscal years to each designated agency, other than a designated agency under section 7, to assist in the preparation of the five-year plan and the initial annual technical services programs, without regard to any of the preceding requirements of this section.

(2) No funds appropriated pursuant to the provisions of this section shall be paid to any designated agency, participating institution, or person on account of any such agency or institution, to carry out any technical services activity or program in any State if such activity or program duplicates any activity or program readily available in such State from Federal or State agencies, including publicly supported institutions of higher learning in such State.

ASSISTANCE BY THE SECRETARY

SEC. 11. The Secretary is authorized and directed to aid designated agencies in carrying out their technical services programs by providing reference services which a designated agency may use to obtain scientific, technical, and engineering information from sources outside the State or States which it serves, for the purposes of this Act.

RULES AND REGULATIONS

SEC. 12. The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate for the administration of this Act.

LIMITATIONS

SEC. 13. (a) Nothing contained in this Act shall be construed as authorizing a department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution.

(b) Nothing contained in this Act shall be deemed to affect the functions or responsibilities under law of any other department or agency of the United States.

ANNUAL REPORT

SEC. 14. (a) Each designated agency shall make an annual report to the Secretary on or before the first day of September of each year on the work accomplished under the technical services program and the status of current services, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of their disbursement.

Report to President and Congress.

(b) The Secretary shall make a complete report with respect to the administration of this Act to the President and the Congress not later than January 31 following the end of each fiscal year for which amounts are appropriated pursuant to this Act.

EVALUATION

Public committee, appointment.

SEC. 15. Within three years from the date of the enactment of this Act, the Secretary shall appoint a public committee, none of the members of which shall have been directly concerned with the preparation of plans, administration of programs or participation in programs under this Act. The Committee shall evaluate the significance and impact of the program under this Act and make recommendations concerning the program. A report shall be transmitted to the Secretary within sixty days after the end of such three-year period.

Report.

TERMINATION

Noncompliance.

SEC. 16. Whenever the Secretary, after reasonable notice and opportunity for hearing to any designated agency or participating institution receiving funds under this Act finds that—

(a) the agency or institution is not complying substantially with provisions of this Act, with the regulations promulgated by the Secretary, or with the approved annual technical services program; or

(b) any funds paid to the agency or institution under the provisions of this Act have been lost, misapplied, or otherwise diverted from the purposes for which they were paid or furnished—

the Secretary shall notify such agency or institution that no further payments will be made under the provisions of this Act until he is satisfied that there is substantial compliance or the diversion has been corrected or, if compliance or correction is impossible, until such agency or institution repays or arranges for the repayment of Federal funds which have been diverted or improperly expended.

REPAYMENT

SEC. 17. Upon notice by the Secretary to any designated agency or participating institution that no further payments will be made pending substantial compliance, correction, or repayment under section 16, any funds which may have been paid to such agency or institution under this Act and which are not expended by the agency or institution on the date of such notice, shall be repaid to the Secretary and be deposited to the account of the appropriations from which they originally were paid.

RECORDS

SEC. 18. (a) Each recipient of a grant under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition of such grant, the total cost of the related approved program, the amount and nature of the cost of the program supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipient that are pertinent to amounts received under this Act.

SHORT TITLE

SEC. 19. This Act may be cited as the "State Technical Services Act of 1965".

Approved September 14, 1965.

Public Law 89-183

AN ACT

September 14, 1965
[H. R. 4465]

To enact Part III of the District of Columbia Code, entitled "Decedents' Estates and Fiduciary Relations", codifying the general and permanent laws relating to decedents' estates and fiduciary relations in the District of Columbia.

D.C. Code, Part III. Decedents' Estates and Fiduciary Relations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the general and permanent laws of the District of Columbia relating to wills and the probate of wills, descent and distribution, administration of decedents' estates, certain fiduciary relations, including provisions relating to guardians and wards, gifts to minors, and fiduciaries generally, and the mentally ill, are revised, codified, and enacted as Part III of the District of Columbia Code, "Decedents' Estates and Fiduciary Relations", and may be cited "D.C. Code § —", as follows:

PART III

DECEDENTS' ESTATES AND FIDUCIARY RELATIONS

TITLE	SECTION
18. WILLS AND PROBATE OF WILLS	18-101
19. DESCENT AND DISTRIBUTION	19-101
20. ADMINISTRATION OF DECEDENTS' ESTATES	20-101
21. FIDUCIARY RELATIONS AND THE MENTALLY ILL	21-101

TITLE 18—WILLS AND PROBATE OF WILLS

CHAPTER	Sec.
1. GENERAL PROVISIONS	18-101
3. DEVISES AND BEQUESTS	18-301
5. PROBATE OF WILLS	18-501

CHAPTER 1—GENERAL PROVISIONS

Sec.
18-101. Definitions.
18-102. Capacity to make a will.
18-103. Execution of written will; attestation.
18-104. Devises, legacies, etc., to attesting witnesses.
18-105. Retention or demand of void devise or legacy by attesting witness prohibited.
18-106. Creditors as competent witnesses.
18-107. Nuncupative wills.
18-108. Execution of power by will.
18-109. Revocation of wills; revival.
18-110. Opening will before delivery to Probate Court.
18-111. Withholding will.
18-112. Taking and carrying away, or destroying, mutilating, or secreting will.

§ 18-101. Definitions

As used in this title, unless the context requires a different meaning:

words importing the singular include the plural, and words importing the plural include the singular;

words importing the masculine gender include all genders;

the present tense includes the future as well as the present;

"District Court" means the United States District Court for the District of Columbia; and

"Probate Court" and "court", respectively, mean the United States District Court for the District of Columbia in the exercise of its probate jurisdiction.

§ 18-102. Capacity to make a will

A will, testament, or codicil is not valid for any purpose unless the person making it is:

(1) if a male, at least 21 years of age; or

(2) if a female, at least 18 years of age—

and, at the time of executing or acknowledging it as provided by this chapter, of sound and disposing mind and capable of executing a valid deed or contract.

§ 18-103. Execution of written will; attestation

A will or testament, other than a will executed in the manner provided by section 18-107, is void unless it is:

(1) in writing and signed by the testator, or by another person in his presence and by his express direction; and

(2) attested and subscribed in the presence of the testator, by at least two credible witnesses.

§ 18-104. Devises, legacies, etc., to attesting witnesses

(a) A beneficial devise, legacy, estate, interest, gift, or power of appointment of or affecting real or personal estate, given or made to an attesting witness to a will or codicil is void as to him and persons claiming under him, except as provided by subsections (b) and (c) of this section.

(b) Where an interested witness to a will or codicil, referred to in subsection (a) of this section, would be entitled to a share of the estate of the testator in case the will or codicil were not established, he or persons claiming under him shall take such portion of the devise or bequest made to him in the will or codicil as does not exceed the share of the estate which would be distributed to him or persons claiming under him in case of intestacy.

(c) The voidance provided for by subsection (a) of this section does not apply to charges on real estate for the payment of debts.

(d) Notwithstanding subsection (a) of this section, an interested witness referred to therein, whether an heir at law or not, is not disqualified as a competent witness to the execution of the will or codicil by reason of his interest.

§ 18-105. Retention or demand of void devise or legacy by attesting witness prohibited

A person to whom a beneficial devise, legacy, estate, interest, gift, or power of appointment is given or made in a will or codicil, which is void under section 18-103, may not, in any manner or under any color or pretense whatsoever:

(1) demand or take possession of or receive any profits or benefit of or from the devise, legacy estate, interest, gift, or power of appointment so given or made; or

(2) demand, receive, or accept from another person the beneficial devise, legacy estate, interest, gift, or power of appointment or any satisfaction or compensation therefor.

§ 18-106. Creditors as competent witnesses

A mere charge in a will or codicil on the estate of a testator for the payment of debts does not disqualify a creditor from being a competent witness to the will or codicil.

§ 18-107. Nuncupative wills

A nuncupative will made after January 1, 1902, is not valid in the District of Columbia except that a person in actual military or naval service or a mariner at sea may dispose of his personal property by word of mouth, if:

(1) his oral disposition of the property is proved by at least two witnesses who were present at the making thereof and were

requested by the testator to bear witness that the disposition was his last will; and

(2) the will is made during the time of the last illness of the deceased; and

(3) the substance of the will is reduced to writing within 10 days after it was made.

§ 18-108. Execution of power by will

An appointment made by will in the exercise of a power is not valid unless it is so executed that it would be valid for the disposition of the property to which the power applies if it belonged to the testator.

§ 18-109. Revocation of wills; revival

(a) A will or codicil, or a part thereof, may not be revoked, except by implication of law, otherwise than by

(1) a later will, codicil, or other writing declaring the revocation, executed as provided by section 18-103 or 18-107; or

(2) burning, tearing, cancelling, or obliterating the will or codicil, or the part thereof, with the intention of revoking it, by the testator himself, or by a person in his presence and by his express direction and consent.

(b) A will or codicil, or a part thereof, after it is revoked, may not be revived otherwise than by its re-execution, or by a codicil executed as provided in the case of wills, and then only to the extent to which an intention to revive is shown.

§ 18-110. Opening will before delivery to Probate Court

A person having possession or custody of a testamentary instrument may, after the death of the testator, open and read it in the presence of near relatives of the deceased, who may conveniently have notice thereof, and of other persons, and immediately thereafter may deliver the will or codicil to the Probate Court or the Register of Wills, until proceedings may be held for the purpose of proving it or other action is taken thereon.

§ 18-111. Withholding will

Penalty.

Whoever, having possession of a testamentary instrument, willfully neglects, for the period of 90 days after the death of the testator becomes known to him, to deliver it to the Probate Court, or to the Register of Wills, or to an executor named in the instrument, shall be fined not more than $500.

§ 18-112. Taking and carrying away, or destroying, mutilating, or secreting will

Penalty.

Whoever, during the life or after the death of the testator, for a fraudulent purpose, takes and carries away, or destroys, mutilates, or secretes, a testamentary instrument, shall be imprisoned not more than five years.

CHAPTER 3—DEVISES AND BEQUESTS

Sec.

18-301. Estates disposable by will.
18-302. Devises or bequests for religious purposes.
18-303. General devise and bequest of all property.
18-304. Devise of land to include leaseholds.
18-305. After-acquired real property.
18-306. "Pour-over" trusts.
18-307. Advancement as satisfaction of devise or bequest.
18-308. Death of devisee or legatee; lapsed or void devises or bequests.

§ 18-301. Estates disposable by will

The real and personal estate of a person, which may pass by deed or gift, or which would, in case of the owner's dying intestate, descend to or devolve upon his heirs or other legal representatives, may be

disposed of, transferred, and passed by his last will, testament, or codicil, in accordance with this Part.

§ 18-302. Devises or bequests for religious purposes

A devise or bequest of real or personal property to a minister, priest, rabbi, public teacher, or preacher of the gospel, as such, or to a religious sect, order, or denomination, or to or for the support, use, or benefit thereof, or in trust therefor, is not valid unless it is made at least 30 days before the death of the testator.

§ 18-303. General devise and bequest of all property

A devise and bequest purporting to be of all real or personal property, or both, belonging to the testator, includes also all property of either or both kinds, respectively, over which he has a general power of appointment, unless a contrary intention appears in the testamentary instrument containing the devise or bequest.

§ 18-304. Devise of land to include leaseholds

A devise of the land of a testator, or of his land in any place, or in the occupation of a person named or otherwise described in a general manner, includes his leasehold estates or those to which the descriptions extend, as well as freehold estates, unless a contrary intention appears in the testamentary instrument containing the devise.

§ 18-305. After-acquired real property

(a) A will executed after January 17, 1887, and before January 1, 1902, devising real property, from which it appears that it was the intention of the testator to devise property acquired after the execution of the will, operates as a valid devise of all after-acquired real property.

(b) A will executed after January 1, 1902, which by words of general import devises all the estate or all the property of the testator, operates as a valid devise of real property acquired by the testator after the execution of the will, unless it appears therefrom that it was not the intention of the testator to devise the after-acquired real property.

§ 18-306. "Pour over" trusts

(a) BEQUESTS OR DEVISES TO TRUSTEE UNDER, OR IN ACCORDANCE WITH TERMS OF, EXISTING TRUSTS.—A devise or bequest may be made in a will or codicil, otherwise valid, in form or substance to the trustees under, or in accordance with the terms of, a written inter vivos trust, including an unfunded life insurance trust, although the settlor has reserved rights of ownership in the insurance contracts, which has been executed and is in existence prior to or contemporaneously with the execution of the will or codicil and is identified in the will or codicil, without regard to the size or character of the corpus of the trust, or whether the settlor is the testator or a third person.

The devise or bequest is not invalid because the trust is subject to amendment or modification or may be terminated or revoked after the will or codicil is executed, whether by the settlor or any other person or persons, nor because the trust instrument or an amendment thereto was not executed in the manner required by law for wills or codicils.

Unless the will or codicil otherwise provides:

(1) the devise or bequest is not invalid because the trust was amended or modified after the will or codicil was executed, and the devise or bequest shall be given effect in accordance with the terms of the trust as they appear in writing on the date of death of the testator, including any amendment or modification;

(2) property passing under the devise or bequest passes directly to the trustees of the inter vivos trust and becomes a part

of the assets of the trust, and is not deemed to be held under a separate testamentary trust;

(3) an entire revocation of the trust prior to the death of the testator invalidates the devise or bequest even though the revocation was not effected in the manner provided by law for the revocation of wills and codicils;

(4) a termination of the trust, except by way of revocation, in accordance with the terms of the trust or by its exhaustion or by operation of law or otherwise does not invalidate the devise or bequest.

(b) BEQUESTS OR DEVISES TO TRUSTEE UNDER, OR IN ACCORDANCE WITH TERMS OF, TESTAMENTARY TRUSTS.—A devise or bequest may be made in a will or codicil, otherwise valid, in form or substance to the trustees under, or in accordance with the terms of, a testamentary trust established under another valid will or codicil. The devise or bequest is not invalid because the testamentary trust or the will or codicil establishing the testamentary trust was not in existence when the will or codicil containing the devise or bequest was executed, if the testator of the will or codicil establishing the testamentary trust predeceases the testator of the will or codicil containing the devise or bequest, and the will or codicil establishing the testamentary trust is admitted to probate.

Unless the will otherwise provides:

(1) property passing under the devise or bequest is deemed to pass directly to the trustees of the testamentary trust and becomes a part of the assets of the trust, and is not deemed to be held under a separate testamentary trust;

(2) a termination of the trust in accordance with the terms of the trust or by its exhaustion or by operation of law or otherwise does not invalidate the devise or bequest.

(c) This section applies to a devise or bequest made by a testator living on December 5, 1963, or born subsequent thereto, without regard to the date of execution of the will or codicil containing the devise or bequest or of the trust instrument, or an amendment thereto.

(d) This section does not affect the validity, as existing before December 5, 1963, of:

(1) a devise or bequest made by a testator who died prior to December 5, 1963; or

(2) a devise or bequest which does not come within this section.

§ 18-307. Advancement as satisfaction of devise or bequest

An advancement or a provision for an advancement to a person is a satisfaction, in whole or in part, of a devise or bequest to that person contained in a previous will if it would be so deemed in case the devisee or legatee were the child of the testator; and, whether he is a child or not, it shall be so deemed where it appears from parol or other evidence to be so intended.

§ 18-308. Death of devisee or legatee; lapsed or void devises or bequests

Unless a different disposition is made or required by the will, if a devisee or legatee dies before the testator, leaving issue who survive the testator, the issue shall take the estate devised or bequeathed as the devisee or legatee would have done if he had survived the testator. Unless a contrary intention appears by the will, the property comprised in a devise or bequest in a will that fails or is void or is otherwise incapable of taking effect, shall be deemed included in the residuary devise or bequest, if any, contained in the will.

CHAPTER 5—PROBATE OF WILLS

Sec.
18-501. Notice of petition for probate.
18-502. Notice to nonresidents and unfound residents.
18-503. Notice to unknown kin or heirs at law.
18-504. Probate; waiver of notice; proof of execution.
18-505. Proof of wills; testimony; witnesses outside District.
18-506. Appearance of persons not cited.
18-507. Admission to probate.
18-508. Caveat; will not to be probated while issues pending.
18-509. Caveat; time for filing.
18-510. Prior will not to be probated pending issues.
18-511. Guardian ad litem.
18-512. Plenary proceedings.
18-513. Trial of issues; jury; notice; service; absent parties; judgment.
18-514. Wills filed prior to June 8, 1898, may be probated as of real estate.

§ 18-501. Notice of petition for probate

(a) Upon the filing of a petition for probate of a will, the notice provided by this section and sections 18-502 and 18-503, shall be issued to each person who would be entitled to or interested in the estate of the testator if the will had not been executed, to appear in the Probate Court on a date named in the notice, if he has cause to show why the prayer of the petition should not be granted.

(b) The notice may be by a citation in which the return date named is not earlier than 10 days after the filing of the petition. The United States marshal or deputy marshal shall serve the citation in the District of Columbia not less than 5 days before the return day named in the citation.

§ 18-502. Notice to nonresidents and unfound residents

(a) Where a person entitled to notice under section 18-501(a) is a nonresident of the District of Columbia or is a resident of the District who has been returned "Not to be found" under subsection (b) of that section, the notice may be by a citation in which the return date named is not less than 20 days after the filing of the petition. The citation shall be served not less than 10 days before the return date named therein and only by a person not less than 18 years of age, who is not a party to or otherwise interested in the estate of the decedent. The return, showing the time and place of service, shall be made under oath in the District of Columbia, unless the person making the service is a sheriff or deputy sheriff, or a marshal or deputy marshal, authorized to serve process where service is made.

(b) When there is proof by the petition for probate or by other affidavit that any or all of the persons, interested as described by section 18-501(a), are nonresidents of the District of Columbia, or when any of them has been returned "Not to be found" under subsection (b) of that section, the notice may be by a publication in which the return date named is not less than 30 days after the date of the first appearance of the publication. The notice shall be published once in each of three successive weeks in a newspaper of general circulation in the District of Columbia. A copy of the published notice shall be mailed to the last-known address of each person referred to in this subsection who is not shown to have been returned served personally under section 18-501(b) or subsection (a) of this section. The court may by general rule prescribe the form of the notice by publication, and may order such other publication as the case requires.

§ 18-503. Notice to unknown kin or heirs at law

(a) When it appears to the satisfaction of the court that all or any of the next of kin or heirs at law of the deceased are unknown, they may be proceeded against and described in the publication of notice provided for by section 18-502(b) as "the unknown next of kin,"

or "the unknown heirs at law," as the case may be, of the deceased, and the publication of the notice under that designation is as effectual against them as if known and their names were specifically set forth in the order of publication.

(b) If a will was admitted to probate prior to June 30, 1902, upon publication against unknown next of kin or heirs, a person interested may file a petition for further probate of the will, alleging that the next of kin or heirs at law of the deceased, or some of them, as the case may be, are unknown, and upon satisfactory showing being made to the court publication of notice may be made against the unknown next of kin or heirs at law of the deceased. Upon the publication being made, as required by the court, a decree may be made confirming the previous probate. The decree is as effectual as if the unknown next of kin or heirs at law were named in the order of publication.

§ 18-504. Probate; waiver of notice; proof of execution

When the notice prescribed by sections 18-501 to 18-503 has been completed or if all parties interested adversely to the will have waived the notice and consent that the will be admitted to probate and record, the court shall proceed, if a caveat is not filed, to take the proofs, or to consider the proofs theretofore taken, of the execution of the will. All the witnesses to the will who are within the District of Columbia and competent to testify shall be produced and examined or the absence of any of them satisfactorily accounted for. A will may not be admitted to probate and record except upon formal proof of its proper execution.

§ 18-505. Proof of wills; testimony; witnesses outside District

(a) When a will contains a devise of real estate, and an attesting witness thereto residing in the District of Columbia is unable to attend the court, the Register of Wills may, with the will, attend upon the witness and take his testimony. When the testimony of resident attesting witnesses to the will has been taken, and other attesting witnesses reside out of the District or are temporarily absent from the District, but are within the United States, it is sufficient, for the purpose of proving the will, to prove the signatures of the nonresident and temporarily absent witnesses.

(b) When the attesting witnesses to a will mentioned in subsection (a) of this section are out of the District as specified in that subsection, or if one or more are within the United States and one or more are in a foreign country, it is sufficient, for the purpose of proving the will, to take the testimony of any one or all of them within the United States, as the Probate Court determines, and to prove the signatures of those whose testimony is not required to be taken.

(c) If all the attesting witnesses to a will mentioned in subsection (a) of this section are out of the United States, it is sufficient, for the purpose of proving the will, to take the testimony of such of them as the court requires, and to prove the signatures of the others.

(d) The Federal Rules of Civil Procedure apply to the taking and use of testimony of out-of-District witnesses as provided by this section. The original will or codicil shall be sent with the notice or order of appointment or commission, or letters rogatory, and exhibited to the witnesses. 28 USC app.

(e) A notice of the time and place of taking testimony need not be given unless probate is opposed.

§ 18-506. Appearance of persons not cited

A person, although not cited, who is interested in sustaining or defeating a will, may appear and support or oppose the application to admit it to probate.

§ 18–507. Admission to probate

When, upon hearing the proofs, the court is of the opinion that the will was duly executed and the testator was competent to execute it, and a caveat is not filed against the admission of the will to probate, the court shall decree that the will be admitted to probate and record.

§ 18–508. Caveat; will not to be probated while issues pending

If, prior to or upon the hearing of an application to admit a will to probate, a party in interest files a verified caveat in opposition, setting forth facts inconsistent with the validity of the will, the will may not be admitted to probate until the issues raised by the caveat are determined, as directed by this chapter.

§ 18–509. Caveat; time for filing

After a will has been admitted to probate, a person in interest may, within six months from the date of the order of probate, file a verified caveat to the will, praying that the probate thereof be revoked.

§ 18–510. Prior will not to be probated pending issues

While issues raised by a caveat are pending, either for trial or on appeal, a prior will may not be admitted to probate.

§ 18–511. Guardian ad litem

When a party interested as specified by this chapter is an infant or of unsound mind, the court shall appoint a guardian ad litem to represent him at the hearing of the application to admit the will to probate, with authority to file a caveat, as he may be advised, in behalf of the interested party.

§ 18–512. Plenary proceedings

In all cases of controversy the court may direct a plenary proceeding to be had, by bill or petition, to which there shall be answer under oath, which may be compelled by the usual process, and all the depositions shall be taken down in writing and filed; or, if either party requires it, the court shall direct an issue to be framed for trial by a jury.

§ 18–513. Trial of issues; jury; notice; service; absent parties; judgment

(a) When a caveat is filed, issues shall be framed under the direction of the court for trial by a jury, except that, if all persons interested are sui juris and before the court, and give written consent to trial without a jury, the issues may be tried and determined by the court. When the issues are to be tried by a jury, they are triable in the Probate Court by petit jurors drawn for regular service in the District Court.

(b) At least 10 days prior to the time of trial of the issues as to a will, each heir at law or next of kin of the decedent, or both together, as the case requires, and each person claiming under the will in question or other instrument on file purporting to be a will of the decedent, shall be served with a copy of the issues and a notification of the time and place of the trial. Before the trial, the court shall appoint a guardian ad litem for each of them who is an infant or of unsound mind.

(c) If, as to a party in interest, the notification provided for by subsection (b) of this section is returned "Not to be found", the court shall assign a new day for the trial, and shall order publication, at least twice a week for a period of not less than four weeks, of the substance of the issues and of the date fixed for the trial thereof, in a newspaper of general circulation in the District of Columbia, and may order such further publication as the case requires. Personal service upon absent parties is not essential to the jurisdiction of the court. From time to

time, the court may prescribe and revise rules for service personally upon the party outside the District of Columbia of a copy of the issues and of the notification.

(d) The proceeding for impaneling a jury for the trial of the issues as to a will is the same as in civil actions. Subject to the right of appeal and to such revision as the common law provides, the verdict of the jury and the judgment of the court thereupon, or the judgment of the court without a jury, as the case may be, is res judicata as to all persons. The validity of the judgment may not be impeached or examined collaterally.

§ 18-514. Wills filed prior to June 8, 1898, may be probated as of real estate

A person interested under a will filed in the office of the Register of Wills for the District of Columbia prior to June 8, 1898, may offer the will for probate as a will of real estate, whereupon such proceedings shall be had as this Code authorizes in regard to wills offered for probate after that date.

TITLE 19—DESCENT AND DISTRIBUTION

CHAPTER	Sec.
1. RIGHTS OF SURVIVING SPOUSE AND CHILDREN	19-101
3. INTESTATES' ESTATES	19-301
5. SIMULTANEOUS DEATHS—UNIFORM LAW	19-501
7. ESCHEAT	19-701

CHAPTER 1—RIGHTS OF SURVIVING SPOUSE AND CHILDREN

Sec.

19-101. Family allowance; construction; penalties.
19-102. Dower; quarantine; curtesy abolished.
19-103. Forfeiture of dower by desertion and adultery.
19-104. Absent or incompetent spouse.
19-105. Jointure before marriage as bar to dower.
19-106. Jointure after marriage; election.
19-107. Effect of acts of one spouse.
19-108. Recovery of dower withheld; damages.
19-109. Recovery of dower obtained by default or collusion; damages.
19-110. Assignment by guardian; rights of heir.
19-111. Reendowment upon eviction from jointure.
19-112. Devise or bequest to spouse.
19-113. Renunciation of devises and bequests; election; time limitations; renunciation or election by guardian or fiduciary; maximum rights; effect of no devise or bequest or if nothing passes under either; antenuptial or postnuptial agreements.
19-114. Rights of surviving spouse if there is no renunciation.

§ 19-101. Family allowance; construction; penalties

(a) Upon the death of a person leaving a surviving spouse, the spouse is entitled to an allowance out of the personal estate of the decedent of the sum of $500 for the personal use of himself and of minor children. The allowance shall be paid in money, or in specific property at its fair value, as the surviving spouse may elect. It is exempt from all debts and obligations of the decedent, and is subject only to the payment of funeral expenses not exceeding $200.

(b) When there is no surviving spouse, the surviving minor children, if any, are entitled to the allowance provided for by subsection (a) of this section. This allowance is payable, in the discretion of the Probate Court, to the person having custody of the children, or to such other person as the court designates. The person to whom the allowance is paid shall use it solely for the care and maintenance of the children.

(c) The allowance provided for by this section is in addition to the respective shares of the surviving spouse and children.

(d) This section applies to estates of all persons dying after June 24, 1949; and if there is any conflict or inconsistency between this section and other provisions of this Part or any other law, this section controls.

(e) Whoever, with respect to the family allowance authorized by this section:

(1) makes a false affidavit; or

(2) willfully violates an order of the Probate Court; or

(3) willfully violates a provision of this section—

shall be fined not more than $500 for each offense.

§ 19-102. Dower; quarantine; curtesy abolished

(a) The widow of a deceased man, with respect to parties who intermarried prior to November 29, 1957, or the widow or widower of a deceased person dying after March 15, 1962, is entitled to dower and its incidents as the rights thereto were known at common law with respect to widows, including the use, during her or his natural life, of one-third part of all the lands on which the deceased spouse was seized of an estate of inheritance at any time during the marriage. The surviving spouse entitled to dower under this section may remain in the chief dwelling house of the decedent 40 days after the death, without being liable for rent therefor, within which period the dower of the surviving spouse, if not previously assigned to her or him, shall be so assigned. In the meantime, the surviving spouse may have reasonable sustenance out of the estate of the decedent.

(b) The right of dower and its incidents provided for by subsection (a) of this section entitles the widow or widower to lands held by the deceased spouse at any time during the marriage, whether by legal or equitable title, and whether held by the decedent at the time of death, or not, but the right does not operate to the prejudice of a claim for the purchase money of the lands or other lien thereon.

(c) The right of dower provided for by this section does not attach to lands held by two or more persons as joint tenants while the joint tenancy exists. A husband may not claim a right of dower in land which his wife, during the coverture, conveyed or transferred to another person by her sole deed prior to November 29, 1957.

(d) With respect to the real estate of a wife dying after November 29, 1957, there is no estate by the curtesy.

§ 19-103. Forfeiture of dower by desertion and adultery

(a) A person who voluntarily abandons or deserts his or her spouse and lives with another person with whom he or she commits adultery, and who is convicted of the adultery by a court having jurisdiction, forfeits the right to dower, and is forever barred of an action to demand it.

(b) Subsection (a) of this section does not apply if the aggrieved spouse willingly, and without coercion, pardons the offending spouse and permits the resumption of cohabitation.

§ 19-104. Absent or incompetent spouse

The spouse of a person who is insane, and has been so adjudicated by a court of competent jurisdiction and the adjudication remains in

force, or who has been absent or unheard of for seven years, may grant and convey by a separate deed, whether it is absolute or by way of lease or mortgage, as fully as if he were unmarried, any real property acquired by him since the adjudication or since the beginning of the absence.

§ 19-105. Jointure before marriage as bar to dower

(a) Where real estate is conveyed to persons who intend to marry, or to one of them alone, or to a person and his heirs and assigns, to the use of persons who intend to marry, or to the use of one of them alone, for the purpose of creating for the latter person mentioned in either case a freehold estate for that person's life at least, and with his assent before the marriage, to take effect in possession and profits immediately upon the death of the other, the jointure bars his right or claim of dower in all the real estate of the spouse. The assent of the person for whose benefit the estate is created is evidenced by that person's becoming a party to the conveyance by which it is settled, or, if he is a minor, by his joining with the father or guardian thereof in the conveyance.

(b) The jointure referred to in subsection (a) of this section is not a bar to dower unless it is expressly made and declared to be in satisfaction of the whole dower, and not of any particular part of it.

§ 19-106. Jointure after marriage; election

If, after persons intermarry, real estate is given or assured for jointure of one of them, in lieu of dower, the person for whose benefit the settlement is made, if he survives the other spouse, shall elect to take the jointure or to claim the dower to which he is entitled under section 19-102.

§ 19-107. Effect of acts of one spouse

A judgment or decree confessed or recovered against one spouse, and any laches, default, covin, forfeiture, or deed or conveyance of one spouse without the assent of the other, evidenced by his acknowledgment thereof in the manner required by law to pass the contingent right of dower, does not prejudice the right of the other spouse to dower, nor preclude him from the recovery thereof.

§ 19-108. Recovery of dower withheld; damages

When, in an action brought for the purpose, a surviving spouse recovers dower in lands from the estate of the deceased spouse, the surviving spouse may also, in the discretion of the court, recover in the same action damages for the withholding of the dower.

§ 19-109. Recovery of dower obtained by default or collusion; damages

If, during the infancy of an heir of a deceased spouse, or of any other person entitled to the lands of the deceased spouse, the surviving spouse, not having a right of dower, recovers dower by the default or collusion of the guardian of the infant, the infant is not prejudiced thereby, and when he comes of full age he has a right of action against the surviving spouse to recover the lands so wrongfully awarded for dower, with damages in the discretion of the court; but, if it is established in an action brought under this section that the surviving spouse is entitled to the dower, he shall have judgment so declaring, and may, in the discretion of the court, recover damages from the heir or other person.

§ 19-110. Assignment by guardian; rights of heir

A guardian of a minor heir has the right of assignment or admeasurement of dower; but the heir, when he comes of full age, is not barred by such an assignment if it was wrongfully made pursuant to collusion between the guardian and the tenant in dower, and may have the dower properly assigned or admeasured according to law.

§ 19-111. Reendowment upon eviction from jointure

A spouse who is lawfully evicted from lands settled upon him as jointure in lieu of dower, or from a part thereof, is entitled to dower to the extent or value of the lands from which he was evicted.

§ 19-112. Devise or bequest to spouse

Subject to section 19-114, and unless it is otherwise expressed in the will, a devise of real estate or an interest therein, or a bequest of personal estate or an interest therein, to the surviving spouse, bars his or her share in the decedent's estate, and his or her dower rights.

§ 19-113. Renunciation of devises and bequests; election; time limitations; renunciation or election by guardian or fiduciary; maximum rights; effect of no devise or bequest or if nothing passes under either; antenuptial or postnuptial agreements

(a) Subject to section 19-114, a surviving spouse is, by a devise or bequest specified in section 19-112, barred of any statutory rights or interest he has in the real and personal estate of the deceased spouse or dower rights, as the case may be, unless, within six months after the will of the deceased spouse is admitted to probate, he files in the Probate Court a written renunciation to the following effect:

"I, A B, widow [or surviving husband] of _____ late of _____, deceased, renounce and quit all claim to any devise or bequest made to me by the last will of my husband [or wife] exhibited and proved according to law; and I elect to take in lieu thereof my legal share of the real and personal estate of my deceased spouse (except that in lieu of my legal share of the real estate, I elect to take dower in all the real estate of my deceased spouse to which that right is applicable)."

(b) In similar manner, where the deceased spouse dies intestate of real estate, and letters of administration are issued with respect to the estate, the surviving spouse is barred of dower rights, unless, within six months after the letters of administration have been issued with respect to the estate of the deceased spouse, he files in the Probate Court a written renunciation of his legal share of the intestate real estate to the following effect:

"I, A B, widow [or surviving husband] of _____ deceased, in lieu of my legal share of the real estate of which my deceased spouse died intestate, elect to take dower in all the real estate of my deceased spouse to which that right is applicable."

(c) If, during the period of six months specified by subsection (a) or (b) of this section, a suit is instituted to construe the will of the deceased spouse, the period of six months for the filing of the renunciation or election commences to run from the date when the suit is finally determined. A renunciation or election may be made in behalf of a spouse unable to act for himself by reason of infancy, incompetency, or inability to manage his property, by the guardian or other fiduciary acting for the spouse when so authorized by the court having

jurisdiction of the person of the spouse. The time for renunciation by a spouse may be extended before its expiration by an order of the Probate Court for successive periods of not more than six months each upon petition showing reasonable cause and on notice given to the personal representative and to the other persons herein referred to in such manner as the Probate Court directs.

(d) Where a decedent has not made a devise or bequest to the spouse, or nothing passes by a purported devise or bequest, the surviving spouse is entitled to his legal share of the real and personal estate of the deceased spouse without filing a written renunciation, but may, instead, elect to take dower as provided by subsection (b) of this section.

(e) The legal share of a surviving spouse under subsection (a) or (d) of this section is such share or interest in the real or personal property of the deceased spouse, including dower if elected in lieu of the legal share in the real estate, as he would have taken if the deceased spouse had died intestate, not to exceed one-half of the net estate bequeathed and devised by the will, or, if dower is elected, one-half of the net personal property bequeathed and dower in the real estate devised.

(f) A valid antenuptial or postnuptial agreement entered into by the spouses determines the rights of the surviving spouse in the real and personal estate of the deceased spouse and the administration thereof, but a spouse may accept the benefits of a devise or bequest made to him by the deceased spouse.

§ 19-114. Rights of surviving spouse if there is no renunciation

A surviving spouse who does not renounce as provided by section 19-113 is entitled to the benefit of all provisions in his favor in the will of the deceased spouse and shall share, in accordance with sections 19-301, 19-302, 19-303, 19-304, and 20-1901, in any estate of the deceased spouse undisposed of by the will.

CHAPTER 3—INTESTATES' ESTATES

Sec.

19-301. Course of descents generally.
19-302. When surviving spouse entitled to whole.
19-303. When surviving spouse entitled to one-third.
19-304. When surviving spouse entitled to one-half.
19-305. Distribution of surplus after payment to surviving spouse.
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19-310. Brothers and sisters to share equally.
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19-319. Advancements.
19-320. Felonious homicide as barring inheritance; insurance policies; bona fide purchasers.
19-321. Descent through alien ancestor no bar.

§ 19-301. Course of descents generally

(a) The real estate in the District of Columbia, of a deceased person, male or female, if not devised, shall descend in fee simple, and the surplus of the personal estate of a deceased resident of the District, if not bequeathed, shall be distributed, to the surviving spouse, children, and other persons in the manner provided by this chapter. The

heirs specified by this subsection take the real estate as tenants in common in the same proportions as they take the surplus personal estate as provided by this chapter.

(b) Subject to the right of dower, the real estate specified by subsection (a) of this section is liable, when the personal estate is insufficient, for the payment of the intestate's funeral expenses, debts, costs of administration, and estate, inheritance, and succession taxes in the same manner and to the same extent as the personal estate of the intestate. When the real estate is sold under a decree of a court having jurisdiction over it, the consent of the surviving spouse to the sale, is not required unless the surviving spouse elects to take dower.

§ 19-302. When surviving spouse entitled to whole

When the intestate leaves a surviving spouse and no child, parent, grandchild, brother, or sister, or the child of a brother or sister of the intestate, the surviving spouse is entitled to the whole.

§ 19-303. When surviving spouse entitled to one-third

When the intestate leaves a surviving spouse and a child, or a descendant of a child, the surviving spouse is entitled to one-third.

§ 19-304. When surviving spouse entitled to one-half

When the intestate leaves a surviving spouse and no child or descendant of the intestate, but a father or mother, or brother or sister, or child of a brother or sister, the surviving spouse is entitled to one-half.

§ 19-305. Distribution of surplus after payment to surviving spouse

The surplus, above the share of the surviving spouse, or the whole surplus, when there is no surviving spouse, descends and is distributed as provided by this chapter and by section 19-701.

§ 19-306. Children to share equally

When the intestate leaves children and no other descendants, the surplus is divided equally among them.

§ 19-307. Grandchildren's share

(a) Subject to subsection (b) of this section, and to section 19-319, when the intestate leaves a child and a child of a deceased child, the child of the deceased child takes such share as his deceased parent would, if living, be entitled to, and every other descendant in existence at the death of the intestate stands in the place of his deceased ancestor.

(b) Those in equal degree claiming in the place of an ancestor take equal shares.

§ 19-308. Share of father and mother

When the intestate leaves no child, or descendant, the whole is divided equally between the father and mother or their survivors.

§ 19-309. Share of brother or sister or their descendants

When the intestate leaves a brother or sister, or child or descendant of a brother or sister, and no child, descendant, or father or mother, the brother, sister, or child or descendant of a brother or sister is entitled to the whole.

§ 19-310. Brothers and sisters to share equally

Each brother and sister of the intestate is entitled to an equal share, and the children or descendants of a brother or sister of the intestate, stand in the place of their deceased parents respectively.

§ 19–311. Share of collateral relations

After children, descendants, parents, brothers, and sisters of the deceased and their descendants, all collateral relations in equal degree share, and representation among the collaterals is not allowed.

§ 19–312. Share of grandfather and grandmother

The grandparents, or such of them as survive, share alike where there are no collaterals.

§ 19–313. Death of distributee before distribution

When a person entitled to distribution dies before the distribution is made, his share goes to his estate or legal representatives.

§ 19–314. Share of posthumous children

A right in the inheritance to real or personal property does not accrue to or vest in a person other than the children of the intestate and their descendants, unless the person is in being and capable in law to take as heir or distributee at the time of the intestate's death; but a child or descendant of the intestate born after the death of the intestate has the same right of inheritance as if born before his death.

§ 19–315. No distinction between whole- and half-blood

There is no distinction between the kindred of the whole- and the half-blood.

§ 19–316. Share of illegitimate children; their issue; mother

The illegitimate children of a female and the issue of illegitimate children of a female are capable to take real and personal estate by inheritance from their mother, or from each other, or from the descendants of each other, as the case may be, in like manner as if born in lawful wedlock.

When an illegitimate child of a female dies leaving no descendants, or brothers or sisters, or descendants of brothers or sisters, the mother of the illegitimate child is entitled to the real and personal estate of the illegitimate child, and if the mother is dead, the heirs or distributees of the mother share in like manner as if the illegitimate child had been born in lawful wedlock.

§ 19–317. Trust estates.

When a trustee is seized of the naked legal estate in real estate in fee simple, and dies intestate thereof, the legal estate descends according to section 19–301 to the persons who would inherit the beneficial estate if it were vested in them.

§ 19–318. Antenuptial children

When a man has a child by a woman whom he afterwards marries, the child, if acknowledged by the man, is, in virtue of the marriage and acknowledgment, legitimated and capable in law of inheriting and transmitting heritable property as if born in wedlock.

§ 19–319. Advancements

(a) If a child or descendant has been advanced by the intestate during the intestate's lifetime, by settlement or portion, real estate or personal estate, the value thereof is reckoned for the purposes of descent and distribution as part of the estate of the intestate descendible and to be divided among his heirs or distributed to his distributees. Where the advancement is equal to or greater than a share, the child or descendant is excluded from any further share in the estate of the intestate and is not liable to refund any part of the amount so advanced; but the surviving spouse has no advantage by bringing the advancement into reckoning. Where the advancement is less than a share, the child or descendant receives so much, only, of the per-

sonal estate, and inherits so much, only, of the real estate, of the intestate, as is sufficient to make all the shares of all the children in the whole property, including the advancement, equal. The value of real or personal estate so advanced shall be estimated according to the worth thereof when given. Maintenance or education of a child or descendant, or giving him money or real estate, without a view to a portion or settlement in life, is not an advancement.

(b) Where an advancement to be adjusted, as provided by subsection (a) of this section, consisted of real estate, the adjustment shall be made out of the real estate descendible to the heirs. Where the advancement was in personal estate, the adjustment shall be made out of the surplus of the personal estate to be distributed to the distributees. Where either species of estate is insufficient to enable the adjustment to be fully made, the deficiency shall be adjusted out of the other.

§ 19-320. Felonious homicide as barring inheritance; insurance policies; bona fide purchasers

(a) A person convicted of felonious homicide of another person, by way of murder or manslaughter, takes no estate or interest in property of any kind from that other person by way of:

(1) inheritance, distribution, devise, or bequest; or

(2) remainder, reversion, or executory devise dependent upon the death of the other person.

The estate, interest, or property to which the person so convicted would have succeeded or would have taken in any way from or after the death of the decedent goes, instead, as if the person so convicted had died before the decedent.

(b) Policies of insurance directly or indirectly procured by a person convicted as specified by subsection (a) of this section, for his own benefit or payable to him upon the life of the person killed by him, are void.

(c) This section does not affect the rights of bona fide purchasers of property specified by subsection (a) of this section, for value and without notice.

§ 19-321. Descent through alien ancestor no bar

In making title by descent it is no bar to a party claiming as heir that an ancestor, whether living or dead, through whom he derives his descent from the intestate, is or has been an alien.

CHAPTER 5—SIMULTANEOUS DEATHS—UNIFORM LAW

Sec.

19-501. No sufficient evidence of survivorship.
19-502. Survival of beneficiaries.
19-503. Joint tenants or tenants by the entirety.
19-504. Insurance policies.
19-505. Chapter does not apply if decedent provides otherwise.
19-506. Short title; effective date; chapter not retroactive; construction.

§ 19-501. No sufficient evidence of survivorship

Where the title to property or the devolution thereof depends upon priority of death and there is not sufficient evidence that the persons have died otherwise than simultaneously, the property of each person shall be disposed of as if he had survived, except as provided otherwise by this chapter.

§ 19-502. Survival of beneficiaries

Where property is so disposed of that the right of a beneficiary to succeed to any interest therein is conditional upon his surviving another person, and both persons die, and there is not sufficient evidence

that the two have died otherwise than simultaneously, the beneficiary is deemed not to have survived. Where there is not sufficient evidence that two or more beneficiaries have died otherwise than simultaneously and property has been disposed of in such a way that at the time of their death each would have been entitled to the property if he had survived the others, the property shall be divided into as many equal portions as there were beneficiaries and these portions shall be distributed respectively to those who would have taken in the event that each of the beneficiaries had survived.

§ 19-503. Joint tenants or tenants by the entirety

Where there is not sufficient evidence that two joint tenants or tenants by the entirety have died otherwise than simultaneously the property so held shall be distributed, or descend as the case may be, one-half as if one had survived and one-half as if the other had survived. Where there are more than two joint tenants and all have so died the property thus distributed or descended shall be in the proportion that one bears to the whole number of joint tenants.

The term "joint tenants" includes owners of property held under circumstances which entitled one or more to the whole of the property on the death of the others.

§ 19-504. Insurance policies

When the insured and the beneficiary in a policy of life or accident insurance have died and there is not sufficient evidence that they have died otherwise than simultaneously, the proceeds of the policy shall be distributed as if the insured had survived the beneficiary.

§ 19-505. Chapter does not apply if decedent provides otherwise

This chapter does not apply in the case of wills, living trusts, deeds, or contracts of insurance, or any other situation where provision is made for distribution of property different from the provisions of this chapter, or where provision is made for a presumption as to survivorship which results in a distribution of property different from that here provided.

§ 19-506. Short title; effective date; chapter not retroactive; construction

(a) This chapter may be cited as the "District of Columbia Uniform Simultaneous Death Act". It is in effect in the District of Columbia as of March 28, 1958, and it does not apply to the distribution of property of a person who died before that date.

(b) Where there is a conflict or inconsistency between a provision of this chapter and other provisions of this Part or other law, the provision of this chapter controls.

CHAPTER 7—ESCHEAT

Sec.
19-701. Escheatment generally.

§ 19-701. Escheatment generally

Where there is no surviving spouse or relations of the intestate within the fifth degree, reckoned by counting down from the common ancestor to the more remote, the surplus of real and personal property escheats to the District of Columbia to be used by the Commissioners of the District of Columbia for the benefit of the poor.

TITLE 20—ADMINISTRATION OF DECEDENTS' ESTATES

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3. EXECUTORS AND ADMINISTRATORS	20–301
5. COLLECTORS	20–501
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CHAPTER 1—GENERAL PROVISIONS

Sec.

20–101. Definitions.

§ 20–101. Definitions

The definitions in section 18–101 apply to this title.

CHAPTER 3—EXECUTORS AND ADMINISTRATORS

SUBCHAPTER I—EXECUTORS

Sec.

20–301. Letters testamentary; oath; corporations.
20–302. Bond of executor.
20–303. Bonds for debts only; removal of executor for waste.
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20–305. Joint or separate bonds of co-executors.
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20-360. Executor of his own wrong.
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20-362. Investment of funds.
20-363. Continuing decedent's business; petition and affidavits; accounting; debts as expenses of administration.
20-364. Recordation of executor's and administrator's bond; copies to interested parties; actions on bonds.
20-365. Service on nonresident executor or administrator; failure to give power of attorney.
20-366. Resignation; petition; accounting; liability.

Subchapter I—Executors

§ 20-301. Letters testamentary; oath; corporations

(a) When a will or codicil respecting real or personal property has been authenticated and admitted to probate, letters testamentary on the will or codicil shall be issued to the executor named therein, if he:

(1) is legally competent and will accept the trust;

(2) executes the bond required by section 20-302; and

(3) takes, subscribes, and files an oath that he will administer the estate of the deceased according to law and and will give a just account of his administration when lawfully called to account.

(b) The conditions of this section as to bond and oath do not apply to corporations authorized under the District of Columbia laws to act as executors.

§ 20-302. Bond of executor

Before letters testamentary are issued to an executor, other than a local corporation authorized by the laws of the District of Columbia to act as an executor, named in a will or codicil, he shall execute a bond to the United States, with security to be approved by the court, in such penalty as the court requires, with a condition that he will administer according to law and to the will of the testator all his goods, chattels, rights, credits, and the proceeds of all his real estate that may be sold for the payment of his debts or legacies, which, at any time, come to his possession or to the possession of another person for him, and in all other respects faithfully perform the trusts reposed in him.

§ 20-303. Bonds for debts only; removal of executor for waste

(a) Where a testator, by last will and testament, requests that his executor be not required to give bond for the performance of his duty, the bond required of the executor shall be in such penalty as the court considers sufficient to secure the payment of the debts due by the testator, of not more than double the value of the personal estate. Where the bond is less than this sum the court may increase it to require an additional bond if the court deems the bond as given to be insufficient to secure the payment of the debts of the testator.

(b) If a party interested makes it appear to the court that an executor who has given a bond only as is provided for by this section is wasting the assets of the estate, or that the assets are in danger of being lost, wasted, or misappropriated, the court may remove the executor or require him to give additional bond with security in a penalty sufficient to secure the interests of all the creditors, distributees, and legatees entitled to take the estate. On his failure to give bond as required, his letters may be revoked and he shall deliver forthwith to the substituted executor all the assets of his testator in his possession or under his control.

§ 20-304. Special bond of executor

(a) When the executor is the residuary legatee of the personal estate of the testator, or if the residuary legatee of full age notifies his consent to the court, he may, instead of the bond prescribed by section 20-302 or 20-303, give bond with security approved by the court, in a penalty prescribed by the court, conditioned to pay all the debts and just claims against the testator, all damages which may be recovered against him as executor, and all legacies bequeathed by the will. In this case, he may not be required to file an inventory or render an account.

(b) If the executor gives a special bond as provided by this section, he is personally answerable for the full amount of all debts, claims, and damages that may be recovered against him as executor as if he were sued in his own right, and a legatee may recover the full amount of his legacy in a suit on the executor's bond, and the giving of the bond shall be considered an assent to the legacy. The sureties on the bond are not liable for a greater amount than the penalty thereof.

§ 20-305. Joint or separate bonds of co-executors

Where two or more persons are appointed executors, the court may take a separate bond with security from each of them or a joint bond with security from all of them together.

§ 20-306. Failure to qualify; letters of administration with the will annexed

Where the sole executor named in the will was present at the probate of the will, and does not, within 20 days thereafter, file a bond as required by this subchapter, and qualify as executor by taking the oath required by section 20-301, letters of administration with the will annexed may be granted as if an executor had not been named.

§ 20-307. Absent executor; summons; notice

Where the sole executor named in the will was not present at the probate of the will, but is within the District, a summons may be issued to him, either at the instance of a person interested or ex officio by the Register of Wills, requiring him to appear and file his bond as required by law within 5 days after service of the summons. If he is not found in the District of Columbia, notice shall be given to him by publication to appear within 10 days after publication of notice, and on his failure to appear and give his bond and qualify by taking the prescribed oath, letters of administration with the will annexed may be granted as if an executor had not been named.

§ 20-308. Summons to each of several executors

Where there is more than one executor named in a will, there may be the same proceeding with respect to each of them as if he were the sole executor, and any circumstances under which letters of administration with the will annexed may be granted on failure of a sole-named executor authorize the granting of letters testamentary to one or more of the executors on failure of one or more of the others. Any

circumstances under which letters of administration with the will annexed may be granted on failure of a sole-named executor authorize the granting of the letters of administration on failure of all the executors named to appear and qualify as provided by this subchapter.

§ 20-309. Renunciation

If an executor named in a will files or transmits to the Probate Court an attested renunciation of his executorship, there shall be the same proceeding with respect to granting letters testmentary or of administration with the will annexed as if the party so renouncing had not been named in the will.

§ 20-310. Disqualification of executor

Where a person named as executor is disqualified from serving, letters testamentary or of administration with the will annexed may be granted as if he had not been named as executor.

§ 20-311. No power to act without letters

Where letters testamentary are granted to one or more of the executors named in a will on failure of the rest, an executor not named in the letters may not, in any manner, interfere with the administration. Where letters of administration with the will annexed are granted, an executor named in the will may not, in any manner, interfere with the administration. An executor named in a will may not, before letters testamentary are granted to him, dispose of any part of the estate of the deceased or interfere therewith, further than is necessary to collect and preserve it.

§ 20-312. Forms of letters of testamentary

The following is the form of letters testamentary to be issued under the seal of the Probate Court:

District of Columbia:

The United States of America.

To all persons to whom these presents come, greeting:

The last will and testament of ———, of ———, deceased, in due form of law, has been exhibited, proved, and recorded in the office of the Register of Wills of the District of Columbia, a copy of which is annexed to these presents, and administration of all the goods, chattels, and credits of the deceased is hereby granted unto ———, the executor appointed by the will.

Witness [A B], the Chief Judge of the United States District Court for the District of Columbia, this ——— day of ———.

Test: [C D], Register of Wills.

§ 20-313. Executor of executor

The executor of an executor, as such, is not entitled to administration de bonis non on the estate of the first deceased.

Subchapter II—Administrators

§ 20-331. Granting of letters of administration

On the death of a person leaving real or personal estate in the District of Columbia, the Probate Court may grant letters of administration on his estate, on the application of a person interested, and on proof satisfactory to the court that the decedent died intestate.

§ 20-332. Oath and bond of administrator

(a) Before an administrator, other than a local corporation authorized by the laws of the District of Columbia to act as administrator, enters upon his duties, he shall:

(1) take and subscribe an oath similar to that prescribed for executors; and

(2) file in the Probate Court his bond to the United States, with security approved by the court, in such penalty as the court requires, with condition to administer according to law all the money, goods, chattels, rights, and credits of the deceased, and in all other respects perform the trust reposed in him.

(b) If the court orders the sale of the decedent's real estate, the administrator, other than a local corporation authorized by the laws of the District of Columbia to act as administrator, shall give a like bond conditioned to administer the proceeds from the real estate that may be sold for the payment of the decedent's debts which come into his possession or to the possession of another person for him.

§ 20-333. Special bond in intestacy

(a) Where the person appointed as administrator is entitled to the residue of the estate after the payment of the debts, he may, instead of the bond prescribed by section 20-332, execute a bond, with security approved by the court, in such penalty as the court considers sufficient, conditioned for the payment of all debts and claims against the deceased, and all damages which may be recovered against him as administrator; and if the administrator files the written consent of those entitled to the residue and they are all of full age, the court may direct that only the special bond provided by this section be given. In this case, the administrator is not required to return inventory or account.

(b) When the administrator gives a special bond as provided by this section, he is personally answerable for all debts, claims, and damages which may be recovered against him, in like manner as the executor who gives a similar bond as provided by section 20-304. The sureties on the bond are not liable for a greater amount than the penalty thereof.

§ 20-334. Persons entitled to administer; order of preference

(a) The Probate Court may grant letters of administration of the estate of a person dying intestate to one or more of the following persons, according to the order of preference indicated:

(1) where there is a surviving spouse and a child or children, to the surviving spouse or to the child, or one or more of the children qualified to act as administrator;

(2) where there is a surviving spouse and no child, the surviving spouse shall be preferred, and, next to the surviving spouse, a grandchild shall be preferred;

(3) where there is no surviving spouse, or child, or grandchild to act, the father shall be preferred; and, where there is no father, the mother shall be preferred;

(4) where there is no surviving spouse, or child, or grandchild, or father, or mother to act, brothers and sisters shall be preferred; and, where there is no brother or sister, the next of kin shall be preferred;

(5) males shall be preferred to females in equal degree;

(6) relations of the whole blood shall be preferred to those of the half-blood in equal degree; and relations of the half-blood shall be preferred to those of the whole blood in a remoter degree;

(7) relations descending shall be preferred to relations ascending, in the collateral line; for example, a nephew shall be preferred to an uncle;

(8) a person may not be preferred in the ascending line beyond a father or mother, or in the descending line below a grandchild;

(9) a femme sole shall be preferred to a married woman in equal degree;

(10) relations on the part of the father shall be preferred to those on the part of the mother, in equal degree.

(b) Where a person described in subsection (a) of this section is incompetent to serve, administration shall be granted as if he or she were not living.

(c) Where there are not relations of the intestate, or those entitled to letters of administration decline to appear and apply for them, after proper summons or notice, administration may be granted to the largest creditor applying therefor. When creditors neglect to apply, the court may exercise its discretion in granting administration.

§ 20-335. Notice of application

Upon an application for letters of administration, such notice thereof shall be given, by publication or otherwise, as the rules of the court require.

§ 20-336. Declining administration

If a person entitled to administration declines it in writing, the court shall proceed as if he or she were not entitled to it.

§ 20-337. Form of letters of administration

The following is the form of letters of administration to be issued under the seal of the Probate Court:

District of Columbia:

The United States of America.

To all persons to whom these presents come, greeting:

Administration of the goods, chattels, and credits of ———, late of ——— deceased, is hereby granted unto ———, of ———.

Witness [A B], the Chief Judge of the United States District Court for the District of Columbia.

Test: [C D], Register of Wills.

§ 20-338. Administrator with the will annexed; preference

Where a will admitted to probate does not appoint an executor, or the executor therein appointed has died or renounced the executorship, or is incompetent to serve, administration shall be granted with the will annexed to the person who would have been entitled to administration in case of the intestacy of the deceased testator. A residuary legatee named in the will, shall be, in an appointment under this section, preferred to all, except a surviving spouse. The condition of the bond of the administrator so appointed and the oath to be taken by him and his duties and liabilities are the same as if he had been appointed executor in the will and had received letters testamentary.

§ 20-339. Administrator de bonis non; form of letters; duties

If an executor or administrator dies before the administration of an estate is completed, the court may exercise its discretion in granting letters of administration de bonis non or de bonis non cum testamento annexo, as the case requires, giving preference to the person who would be entitled in the order provided by section 20-334, if he applies for the letters. The form of the letters is the same as in the case of an original administration, except that it shall be confined to the property of the deceased not already administered. The authority shall be, under the court's direction, to administer all property herein described as assets and not distributed or delivered or retained by the executor or former administrators.

Subchapter III—Miscellaneous Provisions Relating to Executors and Administrators

§ 20–351. Competency to serve as executor or administrator; determination

(a) Letters testamentary or of administration may not be granted to a person who:

(1) has been convicted of an infamous offense; or
(2) is an insane person, as defined by section 21–501; or
(3) under conservatorship as defined in section 21–1501; or
(4) is under 18 years of age; or
(5) is an alien.

(b) The Probate Court shall determine all questions as to the disqualification, on any of the grounds specified by subsection (a) of this section, of persons claiming to be entitled to letters testamentary or of administration, after such notice to them as the court directs.

§ 20–352. Persons between 18 and 21 years of age

When letters testamentary or of administration are granted to a person above 18, but under 21, years of age, the bond executed by him for the faithful performance of his duties is as binding as if he were of full age.

§ 20–353. Application for letters; contents; bond; sale of real estate

When a person applies to the Probate Court for letters testamentary or of administration, he shall set forth, under oath, as fully as possible, all the personal and real estate left by the decedent and the amount of his debts as far as can be ascertained. The penalty of the bond required of him, except in the cases provided for by sections 20–303, 20–304, and 20–333, shall be sufficient to secure the proper application of all the personal estate of the testator or intestate. If it becomes necessary to sell the real estate of the decedent, in part or in whole, the executor or administrator shall give such additional bond, with approved security, as the court directs, to secure the proper application of the proceeds arising from the sale. Where an executor is empowered by the will to sell the real estate of the testator, for any purpose, he shall account for the proceeds in the court.

§ 20–354. Will proved after letters of administration granted; revocation; pending actions; judgments; accounting; liability

(a) Where administration is granted, and, afterwards, a will disposing of the estate of the deceased is proved according to law, and letters testamentary are issued thereon, the letters testamentary constitute a revocation of the letters of administration. The executor obtaining letters may prosecute civil actions commenced by the administrator and obtain judgment in his own name, and may defend suits commenced against the administrator. The executor shall have the benefit of all judgments obtained by the administrator, and is bound by all judgments obtained against the administrator to the extent of assets received by the executor, unless the judgments were obtained by fraud.

The administrator, without delay, shall account for and deliver to the executor all personal estate and proceeds of realty sold in his possession, belonging to the deceased, in default of which his bond may be sued upon by the executor or administrator with the will annexed.

(b) The administrator may not be held to answer for acts lawfully done by him, in good faith and in ignorance of the will, before

an actual or implied revocation of his letters. When distribution of the estate, or part of it, has been lawfully made by him, the distributees, and their personal representatives, and not the administrator, are answerable for the property so distributed, or its value, to the persons entitled to it.

§ 20-355. Will declared invalid after distribution; liability

When a will is adjudged invalid in an action begun after lawful distribution of the estate, or a part of it, by the executor, in good faith and without his knowledge of the invalidity of the will, and without notice to him that the action was intended, the distributees of the property, and their personal representatives, and not the executor, are answerable for the property so distributed, or its value, to the persons entitled to it.

§ 20-356. Removal of co-executor or co-administrator for negligence or misconduct; complaint; recovery of loss or damage

If a joint executor or administrator apprehends that he is in danger of suffering by the negligence or misconduct in the administration or the improper use or misapplication of the assets of the estate by a co-executor or co-administrator, he may make complaint to the court. Upon adjudging the complaint to be well founded, the court may revoke the letters of the executor or administrator so complained of and compel the delivery and surrender to the remaining executor or administrator of the assets, books, papers, and evidences of debt, of the estate in the possession or control of the person whose letters have been revoked. The remaining executors or administrators may recover, in a civil action, for loss or damage they may suffer through the executor or administrator whose letters have been revoked.

§ 20-357. Additional bond; failure to provide; revocation; delivery of assets

Where the Probate Court is satisfied that the bond already given by an executor or administrator is insufficient, it may require the executor or administrator to file an additional bond, and on his failure to do so may revoke his letters. Upon the revocation of letters under this section, the executor or administrator whose letters are so revoked shall forthwith deliver to any substituted executor or administrator all the assets of his testator or intestate in his possession or control.

§ 20-358. Counter security; application of surety; delivery of property; inventory; duties and liabilities of surety

(a) If a surety of an executor or administrator apprehends that he is in danger of suffering from the suretyship, he may apply for relief to the Probate Court. The court may call upon the party to give counter security, to be approved by the court. If the party so called on does not, within a fixed reasonable time, give counter security, the court may order the property remaining in his hands as executor or administrator to be delivered up to the surety, and the court may enforce the delivery by process. Without delay, the executor or administrator shall return an inventory of the property delivered to the surety. Under the immediate order of the court, the surety shall sell, distribute, and deliver up the property contained in the inventory, as the case requires, as if the surety were the executor or administrator.

(b) To prevent a double administration and consequent inconvenience to creditors and other persons interested in the estate, the executor or administrator specified by subsection (a) of this section shall continue to discharge his trust, unless the court revokes his letters for a just cause, and he shall be answerable for the property in the same

manner as if it were not, on his default, delivered to the surety. The executor or administrator may sue the surety and recover damages if he suffers from the misconduct of the surety, in diminishing any part of the property, without obtaining an allowance therefor from the court. The surety shall bring into court, to be deposited with the Register of Wills, the money arising from the sale of any property as provided by this section, to be applied according to this Part.

§ 20-359. Accounting by representative of deceased executor or administrator; enforcement

(a) On the application of an administrator de bonis non the court may order the executor or the administrator of a deceased executor or administrator to deliver over to him all the personal property that was in the hands of the deceased executor or administrator, as such, and also all the money, bonds, notes, accounts, and evidences of debt that the deceased executor or administrator may have taken, received, and held at the time of his death, including the proceeds of sale of either personal or real estate made by the deceased executor or administrator, which shall be deemed unadministered assets.

(b) If an executor or administrator of a deceased executor or administrator fails to comply, by a day named, with an order issued under subsection (a) of this section, the court may enforce its order by attachment against him, and may direct that his bond, or the bond of the deceased executor or administrator, or both, be sued upon for the use of the administrator de bonis non.

§ 20-360. Executor of his own wrong

Whoever, without authority of law, takes, receives, or injuriously interferes with personal property of a deceased person who died intestate, is liable, as an executor of his own wrong:

(1) to the persons aggrieved; and

(2) to the rightful administrator for the full value of the personal property taken or received by him and for all damages caused to the estate by his acts.

He may not retain or deduct any part of the estate, except for funeral expenses or debts of the deceased or other charges which rightful executors or administrators might have been compelled to pay.

§ 20-361. Liability of executor or administrator of deceased executor or administrator for waste or conversion

The executor or administrator of a person who, as executor, either of right or of his own wrong, or as administrator, wasted or converted to his own use any part of the estate of a deceased person, is liable and chargeable in the same manner as his testator or intestate would have been, if living.

§ 20-362. Investment of funds

Where, under the provisions of a will, it is necessary for an executor or an administrator with the will annexed to retain in his hands the personal estate, or a part thereof, after all just claims are discharged, as in a case where money or another thing is directed to be paid at a distant period or upon a contingency, he shall apply to the Probate Court for a decree or directions relating thereto. The court may decree or direct:

(1) what part of the personal estate shall be retained or appropriated for the purpose and in what manner it shall be disposed of;

(2) in what manner the legacy or benefit shall be secured to the person entitled thereto at a future period or upon the happening of a contingency;

(3) how the necessary part of the personal estate to be appropriated for the purpose shall be prevented from being unproductive; and

(4) how the necessary part of the personal estate to be appropriated for the purpose shall be applied, agreeably to the intent of the will or the construction of law, should the contingency not take place.

§ 20-363. Continuing decedent's business; petition and affidavits; accounting; debts as expenses of administration

(a) The Probate Court may authorize a fiduciary accountable to it to continue a business of the decedent until further order of the court and may order the discontinuance of the business at any time.

(b) An order under subsection (a) of this section authorizing the continuance of a business may not be entered until after the fiduciary has filed a petition under oath, supported by the affidavits of two reputable persons familiar with the decedent's business, setting forth:

(1) the appraised value of the business;

(2) whether the decedent conducted the business at a profit or loss; and

(3) the estimated amount of the monthly expenses necessary to be incurred in order to continue the business.

(c) A fiduciary who is given an authorization to conduct the decedent's business shall file with the Register of Wills monthly statements showing:

(1) receipts and disbursements;

(2) debts contracted, and obligations incurred; and

(3) the profit or loss.

(d) Debts contracted and obligations incurred in continuing a business of the decedent constitute an expense of administration of the estate.

§ 20-364. Recordation of executor's and administrator's bond; copies to interested parties; actions on bonds

(a) The Register of Wills shall record in his office every bond executed by an executor or administrator. The Register of Wills shall deliver, on demand, to a person conceiving himself to be interested in the administration of the estate, a copy of the bond, under his hand and seal. Upon this copy, an action may be maintained, in the name of the United States, for the use of the party interested. In the action, judgment may be recovered for the damage actually sustained.

(b) In the manner provided by subsection (a) of this section, an administrator appointed in the place of an executor or administrator who has resigned, or has been removed, or whose letters have been revoked, may maintain an action against the former executor or administrator, and his sureties, on his administration bond, for loss and damage to the estate resulting from this breach of duty.

(c) A creditor may not maintain an action on a testamentary or administration bond for a claim against the testator or intestate:

(1) until, when practicable, an action has been commenced against the executor or administrator of the deceased and:

(A) a summons issued in the action has been returned "Not to be found"; or

(B) a writ of fieri facias or of attachment, issued on a judgment against the executor or administrator, has been returned "nulla bona";

or

(2) until, in the judgment of the court before whom the action may be tried, there is such apparent insolvency of the

executor or administrator or insufficiency of his effects as to leave the creditor without remedy except by action on the bond.

§ 20-365. Service on nonresident executor or administrator; failure to give power of attorney

Before original or ancillary letters testamentary or of administration are issued, the person designated, if a nonresident of the District of Columbia, shall file in the office of the Register of Wills an irrevocable power of attorney designating the Register of Wills and his successors in office as the person upon whom all notices and process issued by a competent court in the District may be served, with like effect as personal service, in relation to all suits, matters, causes, or things affecting or pertaining to the estate in which the letters are to be issued. The Register of Wills shall forthwith forward by registered or certified mail to the address of the executor or administrator, which shall be stated in the power of attorney, all notices and process served upon the Register under this section.

If the person fails to file the power of attorney within 10 days after the entry of the order of appointment, the order shall stand revoked, and he shall forfeit all rights to the office.

§ 20-366. Resignation; petition; accounting; liability

Where a person, after having accepted the office of executor or administrator, desires to resign the office, he may file his petition to that effect, accompanied by a full and particular account, under oath, of his receipts and disbursements, if any. The court shall thereupon direct such notice as it deems proper to be given of the application, and, if cause is not shown to the contrary, may release and discharge him from his office and enter such order as to costs and commissions and impose such terms in other respects as the nature of the case requires. The executor or administrator is not, by the discharge, released from liability for past acts, defaults, or omissions of duty.

CHAPTER 5—COLLECTORS

Sec.
20-501. Letters of collection, or ad colligendum.
20-502. Oath and bond of collector; form.
20-503. Service on nonresident collector; failure to give power of attorney.
20-504. Duties of collector; liability; commission; additional bond requirements if real estate to be possessed.
20-505. Removal of co-collector for negligence or misconduct; complaint; recovery of loss or damage.
20-506. Cessation of powers.
20-507. Liability of collector for refusing to deliver estate.

§ 20-501. Letters of collection, or ad colligendum

(a) Letters of collection, or ad colligendum, may be granted to one or more persons, when:

(1) there is a contest in relation to a will; or
(2) the executor is absent from the District of Columbia; or
(3) there is a delay in the executor's qualifying; or
(4) there is other sufficient cause.

(b) The form of letters of collection is as follows:

To all persons to whom these presents come, greeting:

Whereas ———, of ———, deceased, had, as is said, at his decease, personal property within the District of Columbia, administration whereof can not immediately be granted, but which, if speedy care be not taken, may be lost, destroyed, or diminished, to the end that the same may be preserved for those who may appear to have a legal right or interest therein, we do hereby request and authorize ———, of ———, to secure and collect the property, wheresoever the same may be, in the District, whether goods, chattels, debts, or credits, and to make a true inventory thereof and exhibit it with all

convenient speed, with an account of his collections, into the office of the Register of Wills.

Witness [A B], the Chief Judge of the United States District Court for the District of Columbia.

Test: [C D], Register of Wills.

§ 20-502. Oath and bond of collector; form

(a) Before letters are issued to a collector other than a local corporation authorized under the laws of the District of Columbia to act as collector, he shall take and subscribe the following oath:

"I, ———, do swear that I will well and truly discharge the office of collector of the personal estate of ———, deceased, according to the tenor of the letters granted me by the Probate Court of the District of Columbia and the directions of law, to the best of my knowledge, so help me God.".

(b) The collector shall also, before letters are issued to him, execute a bond to the United States, in a penalty and with security to be approved by the court, with the following condition: "The condition of the above obligation is such that if the above bounden ——— shall well and honestly discharge the office of collector of the personal estate of ———, deceased, in the District of Columbia, and shall make or cause to be made a true and perfect inventory or inventories of such of the personal estate, and debts as come to his possession or knowledge and make return of them to the Probate Court of the District, and shall also deliver to the person or persons who shall be authorized by the court to receive them such of the goods, chattels, personal estate, and debts as shall come to his possession, except such as shall be allowed for by the court, then the obligation shall be void; it shall otherwise be in full force at law.".

§ 20-503. Service on nonresident collector; failure to give power of attorney

Before original or ancillary letters of collection are issued, the person designated, if a nonresident of the District of Columbia, shall file in the office of the Register of Wills an irrevocable power of attorney designating the Register of Wills and his successors in office as the person upon whom all notices and process issued by a competent court in the District may be served, with like effect as personal service, in relation to suits, matters, causes, or things affecting or pertaining to the estate in which the letters are to be issued. The Register of Wills shall forthwith forward by registered or certified mail to the address of the collector, which shall be stated in the power of attorney, all notices or process served upon the Register under this section.

If the person fails to file the power of attorney within 10 days after the entry of the order of appointment, the order shall stand revoked, and he shall forfeit all rights to the office.

§ 20-504. Duties of collector; liability; commission; additional bond requirements if real estate to be possessed

(a) The collector shall collect the personal estate of the deceased, including the debts due him, and cause them to be appraised, and return an inventory thereof, as an administrator is required to do, and may, under the authority of the court, sell perishable articles and bring suits for debts or other property, as an administrator may do, and shall account for the money recovered. The collector may, if authorized by the court, take possession of, hold, manage, conserve, and control all real estate affected by the will in dispute, and shall discharge, pendente lite, all the duties of an administrator, including the payment of debts. He is liable to an action by a creditor of the deceased and is entitled to the protection of all provisions of law expressly relating to executors and administrators.

(b) The collector may be allowed a commission not exceeding 10 per centum on the personal property, debts due the estate, and rentals from real estate actually collected by him.

(c) Where the collector is authorized by the court to take possession of the real estate affected by the will or wills in dispute, the letters of collection shall so expressly specify, and his bond as collector, in addition to the several matters set forth in section 20-502, shall specifically include the faithful performance of his duties with respect to the real estate.

§ 20-505. Removal of co-collector for negligence or misconduct; complaint; recovery of loss or damage

If a joint collector apprehends that he is in danger of suffering by the negligence or misconduct by a co-collector in the administration or the improper use or misapplication of the assets of the estate, he may apply to the court for relief. Upon adjudging the complaint to be well founded, the court may revoke the powers and authority of the collector so complained of and compel the delivery and surrender to the remaining collector of the assets, books, papers, and evidences of debt, of the estate that may be in the possession or control of the person so dismissed from the administration. The remaining collectors may recover, in a civil action, for any loss or damage they may suffer through the collector whose powers have been revoked.

§ 20-506. Cessation of powers

On the granting of letters testamentary or of administration the power of a collector cease. He shall deliver, on demand, all the property and money of the decedent in his hands and excepted by section 20-504, to the person obtaining the letters, and the latter may be permitted to prosecute suits commenced by the collector as if they had been begun by him, and may also defend suits brought against the collector by a creditor of the deceased.

§ 20-507. Liability of collector for refusing to deliver estate

If a collector neglects or refuses to deliver over the property and estate to the executor or administrator, the court may, by citation and attachment, compel him to do so, and the executor or administrator may also proceed, by civil action, to recover the value of the assets from him and his sureties by action on his bond.

CHAPTER 7—INVENTORY OF ASSETS

Sec.
20-701. Inventory; when made; contents; exceptions.
20-702. Appraisers.
20-703. Death of appraisers; failure to act.
20-704. Appraisement; notice; return.
20-705. Contents of inventory.
20-706. Exceptions to inventory.
20-707. Collector's inventory.
20-708. Co-executor or co-administrator may file inventory if others neglect to do so.

§ 20-701. Inventory; when made; contents; exceptions

An executor or administrator who has not filed a special bond provided for by sections 20-304 and 20-333, or a collector shall, within two months after his appointment, or such longer time as the court allows, make and return, upon oath, into court a true inventory of all the personal estate of the deceased which are by law to be administered and which have come to his possession or knowledge. Where the court deems it proper, it may also order him to include in the inventory all the real estate of the deceased.

§ 20-702. Appraisers

On the granting of letters testamentary or of administration or letters of collection, a warrant, except in the cases provided by sections 20-304 and 20-333, shall issue to two suitable persons not interested in the estate, to appraise the estate of the deceased, known to them or shown to them by the executor, administrator, or collector. They shall severally take and subscribe an oath well and truly, without partiality or prejudice, to value the personal estate and, if so directed, the real estate, of the deceased, as far as these items and properties come to their knowledge, to the best of their skill and judgment.

§ 20-703. Death of appraisers; failure to act

If an appraiser dies, or refuses or neglects to act, another person may be appointed in his stead.

§ 20-704. Appraisement; notice; return

The executor, administrator, collector or appraisers shall give notice to the persons immediately interested in the administration, or at least two of them, if they are numerous, of the time and place of making the appraisement. Thereupon, they shall proceed at that time and place to value the property and estate, setting down each article or item separately, with the value thereof, in dollars and cents. When the appraisement is completed, they shall certify it under their hands and seals, and return it with the inventory.

§ 20-705. Contents of inventory

The inventory shall contain a particular statement of all other securities for the payment of moneys belonging to the deceased, and of all other debts and accounts due him, which are known to the executor, administrator, or collector, who shall designate those debts which he considers good, as distinguished from those which he considers desperate or doubtful, and also an account of all moneys belonging to the deceased which come to his hands. When, after an inventory is returned, assets not therein included come to the knowledge of the executor, administrator, or collector, an additional inventory and appraisement shall be promptly prepared and filed in the same manner.

§ 20-706. Exceptions to inventory

There shall be excepted from the inventory the wearing apparel of the deceased, family pictures, the family Bible, and schoolbooks used in the family, and provisions for the support of the family, on hand at the time of the decedent's death. Where the decedent was the head of a family, or a householder, the property exempt under sections 15-501 to 15-503 shall so continue exempt from all claims against the decedent, and shall be distributed by the court to such members of the family or household as in the judgment of the court the exigencies of the particular case require. 77 Stat. 529.

§ 20-707. Collector's inventory

If an inventory is returned by a collector the executor or administrator thereafter administering shall, within two months after his appointment, return either a new inventory in place of the collector's inventory or an acknowledgment in writing that he has received from the collector the articles contained in the first inventory, and consents to be answerable for it, as if the inventory had been made out by him as executor or administrator, unless it appears that he has been prevented from making the return by the improper detention of the personal estate of the deceased by the collector.

§ 20-708. Co-executor or co-administrator may file inventory if others neglect to do so

Where there is more than one executor or administrator, any one or more of them, on the neglect of the others, may, if authorized by the court, return an inventory.

CHAPTER 9—ASSETS OF ESTATE

Sec.

20-901. Assets to be included in inventory and administered.
20-902. Discharge or bequest of debt or demand not valid against creditors; disposition.
20-903. Claims of testator against executor not discharged; disposition; liability of surety.
20-904. Failure of executor to include claims of testator against executor in inventory; remedy.
20-905. Debt due by administrator or collector.

§ 20-901. Assets to be included in inventory and administered

(a) The inventory required by chapter 7 of this title shall include:

(1) leases for years;

(2) estates for the life of other persons;

(3) all goods, wares, merchandise, utensils, and furniture, and things annexed to the freehold which may be removed without prejudice thereto;

(4) the growing crop on the land of the deceased; and

(5) every other species of personal property, except the clothing of the widow and minor children of the deceased and personal ornaments suitable to their station, and except the property exempted by section 20-706.

(b) The items specified by subsection (a) of this section, except those excluded from the inventory by clause (5) thereof, together with the proceeds of real estate sold for the payment of debts, constitute assets to be administered by an executor or administrator.

§ 20-902. Discharge or bequest of debt or demand not valid against creditors; disposition

A discharge or bequest in a will, of a debt or demand of a testator is not valid as against the creditors of the deceased, but constitutes only as a specific bequest of the debt or demand, and the amount thereof shall be included in the inventory of the effects of the deceased and included as an asset for the payment of his debts, if necessary for that purpose, and, if not so necessary, shall be paid in the same manner and proportion as other specific legacies.

§ 20-903. Claims of testator against executor not discharged; disposition; liability of surety

The naming of a person as executor in a will is not a discharge or bequest of a just claim which the testator had against him. The claim shall be included among the credits and effects of the deceased in the inventory, and the executor is liable for it, as for so much money in his hands, at the time the debt or demand becomes due. He shall apply and distribute it, in the payment of debts and legacies and among the next of kin, as part of the personal estate of the deceased. However, the sureties of the executor are not liable where the claim against the executor would have been uncollectible if another person had been executor.

§ 20-904. Failure of executor to include claims of testator against executor in inventory; remedy

If an executor fails to include a claim which the testator had against him in the list of debts due the deceased, a person interested in the administration may allege the failure by petition to the Probate Court. The court, with the consent of the parties, may decide the matter, or it may be referred by the parties, with the court's approval; or at the instance of either party the court may direct an issue to be tried by a jury. If the claim in any such proceedings is decided to be a just claim of the decedent against the executor, the executor shall be charged with the amount thereof as provided by section 20-903.

§ 20-905. Debt due by administrator or collector

In like manner as provided by section 20-903, an administrator or collector shall include a claim against himself, and on his including it, or failure to do so, there shall be the same proceeding as described in section 20-903 or 20-904 with regard to an executor. The rule provided by section 20-903 applies to his sureties.

CHAPTER 11—SALE OF ASSETS

Sec.
20-1101. Sale of personal estate.
20-1102. Order for sale.
20-1103. Sale of real estate directed in will; procedure; failure to act.
20-1104. Power of co-executors to sell real estate under will.
20-1105. Survivor of several trustees.
20-1106. Authority of court regarding sales of realty; responsibility for proceeds; restrictions on sales; auditor's report.
20-1107. Bond to prevent sale of real estate.
20-1108. Sale of real estate to satisfy debts and legacies.
20-1109. Sale of property subject to dower.
20-1110. Appointment of trustee to sell real estate; bond.
20-1111. Proceeding by creditors to have real estate sold.

§ 20-1101. Sale of personal estate

Where an executor or administrator does not have money sufficient to discharge the just debts of and claims against the decedent, the Probate Court shall, on his application, made after the return of an inventory, direct a sale of the personal property contained therein, or of such part as the court considers proper, and in such manner and on such terms as the court directs. The court may direct a sale if it deems it advantageous to the persons interested in the administration, on the application of any of them.

§ 20-1102. Order for sale

An executor not so authorized by the will, or an administrator, may not sell property of his decedent without an order of the Probate Court. A sale made without a previous order authorizing it is void and does not pass title to the purchaser. If an executor or administrator sells, pledges, or disposes of property without a previous order, his letters may be revoked and an administrator appointed, who shall immediately recover possession of the property; and the removed executor or administrator may be proceeded against by attachment. Where there are two or more executors or administrators, and a sale, pledge, or disposition of property has been made without the consent of all, the revocation extends only to the persons so offending, and

the remaining executors or administrators may discharge the duties of their office and institute proceedings for the recovery of the property and attachment as provided by this section.

§ 20-1103. Sale of real estate directed in will; procedure; failure to act

Where a testator has directed his real estate to be sold for the payment of his debts or legacies, the executor may sell and convey it, and shall account for the proceeds of the sale to the Probate Court in the same manner as for the proceeds of personal estate. Such a sale is not valid unless it is ratified by the court after notice given by publication according to the practice in equity. If the executor refuses or declines to act, or dies without executing the power vested in him, the court, on the application of a person interested, may appoint an administrator de bonis non with the will annexed to execute the power in the same manner in which the executor appointed by the will might have done.

§ 20-1104. Power of co-executors to sell real estate under will

Where a power to sell lands, tenements, or other hereditaments is given by a will to executors as such, and a person named as executor refuses, after the death of the testator, to act or accept the trust, sales under the power made by the executors who qualify and accept the trust are as effectual in law as if the other executors had joined in the sale.

§ 20-1105. Survivor of several trustees

Where two or more trustees are appointed by the will to execute a trust, or are empowered to sell, dispose of, or convey lands or other property devised to them jointly, upon the death of any one or more of them the survivors may execute the trust or power. If one of the trustees, in writing, signed by him and attested by a witness, relinquishes or disclaims the trust or refuses to act under the will, and delivers the writing to the Probate Court for record, his right to act ceases, and the remaining trustees appointed by the will may execute the trusts of the will and make sales and execute conveyances and other acts necessary for that purpose.

§ 20-1106. Authority of court regarding sales of realty; responsibility for proceeds; restrictions on sales; auditor's report

The Probate Court has plenary authority to administer the real estate situated in the District of Columbia of decedents as far as may be necessary for the payment of funeral expenses, debts, costs of administration, and estate, inheritance and succession taxes, and legacies, and to distribute among those entitled thereto the surplus proceeds of sales of real estate made in the course of the administration. The bonds of executors and administrators are responsible for the proceeds of sale of real estate sold by them under the order of the court for purposes of administration. A sale of real estate may not be made unless it is required for the purposes of paying the above-mentioned charges and such legacies as are chargeable upon the real estate, or until the auditor of the court has ascertained and reported those debts and legacies, the deficiency of personal assets, and the real estate necessary to be sold for the payment of the charges and legacies. Objections to the report may be filed, heard and determined as provided by rules of court.

§ 20–1107. Bond to prevent sale of real estate

An order for the sale of real estate may not be granted if a person interested in the estate gives bond to the United States, with security to be approved by the Probate Court, conditioned to pay all the debts, or legacies, or both, as the case may be, that shall eventually be found due, and the costs of administration.

§ 20–1108. Sale of real estate to satisfy debts and legacies

Where the Probate Court is satisfied, upon a report of the auditor, that it is necessary to sell the real estate, or a part thereof, it shall authorize the executor or administrator to sell the property, or so much thereof as may be necessary for the payment of the debts or legacies, or both, on such terms as the court directs. Any surplus of the proceeds of the sale, after payment of debts and legacies and costs of administration, is deemed real estate, and shall be distributed among the heirs or devisees as their interests may appear.

§ 20–1109. Sale of property subject to dower

Where there is a surviving spouse entitled to dower in the real estate of the decedent, the Probate Court, before authorizing a sale of the real estate, shall issue a commission to one or more suitable persons to set off and assign the dower out of the estate, and the dower shall be so assigned. If the court finds that the surviving spouse's dower cannot be set off without injury to the property, if he consents thereto by answer to the petition, the real estate may be sold free of the dower, and the surviving spouse shall receive out of the proceeds a commutation of dower according to the practice in equity.

§ 20–1110. Appointment of trustee to sell real estate; bond

When a person dies having devised real estate to be sold, without having appointed a trustee to sell the property, or if the person so appointed neglects or refuses to execute the trust, or dies before the execution of the trust, the United States District Court for the District of Columbia may, on the application of a person interested, appoint a trustee to sell and convey the property and apply the proceeds of sale to the purposes intended. Where a trustee is appointed by last will to execute a trust, and a person interested in the execution of the trust makes it appear that it is necessary for the safety of those interested therein that the trustee should give bond and security for the due execution of the trust, the Court may order and direct that a bond be given by the trustee by a day named, and on failure of the trustee to give the bond, with security to be approved by the court as directed, the court may displace the trustee and appoint another in his stead, who shall give the bond. The bond shall be given to the United States and may be sued on for the use of a person interested.

§ 20–1111. Proceeding by creditors to have real estate sold

When a person dies leaving real estate in possession, remainder, or reversion, and not leaving personal estate sufficient to pay his debts, the Court, on a suit instituted by any of his creditors, may decree that all the real estate left by the person, or so much thereof as may be necessary, be sold to pay the charges mentioned in section 20–1106. This section applies whether the heirs or devisees are residents or nonresidents, are of full age or infants, and are of sound mind or are insane, and also where the deceased left no heirs or it is not known whether he left heirs or devisees or the heirs or devisees are uknown. Where there are no known heirs the United States attorney for the District of Columbia shall be notified of the suit and appear therein.

CHAPTER 13—CLAIMS OF CREDITORS

Sec.
20-1301. Debts to be proved.
20-1302. Judgment or decree; voucher or proof.
20-1303. Bond, note, check, protested bill of exchange; original or copy of instrument to constitute voucher.
20-1304. Proof by assignee.
20-1305. Proof of commercial papers.
20-1306. Claims for rent.
20-1307. Open account.
20-1308. Claims outside of District.
20-1309. Executor's or administrator's claim to be under oath.
20-1310. Plea of limitations within discretion of executor or administrator.
20-1311. Claims may be rejected and disputed.
20-1312. Passing of claims not conclusive.
20-1313. Payment of claims.
20-1314. Notice of distribution.
20-1315. Retaining for claims.
20-1316. Executor or administrator to withhold amount claimed pending litigation.
20-1317. Claims of executors and administrators to be passed by Court.
20-1318. Period during which creditors may file suit after claim is contested.
20-1319. Executor or administrator not responsible for claims made after distribution.
20-1320. Notice to creditors to file claims.
20-1321. Report and proof of notice.
20-1322. Report of notice as prima facie evidence; copy as legal evidence.
20-1323. Docket of claims.
20-1324. Filed claim no evidence of correctness if disputed; filing as tolling limitations.
20-1325. Priorities.
20-1326. No claim to be noticed unless legally authenticated.
20-1327. Meeting of creditors.
20-1328. Distribution of residue.
20-1329. Creditors' rights against property of nonresident decedent; limitation.

§ 20-1301. Debts to be proved

An executor or administrator may not discharge a claim against his decedent, otherwise than at his own risk, unless it is first passed by the Probate Court or is proved according to the rules prescribed by this chapter.

§ 20-1302. Judgment or decree; voucher or proof

The voucher or proof of a judgment or decree shall be a short copy thereof under seal, attested by the clerk of the court where it was obtained, who shall certify that the judgment or decree has not been satisfied. There shall likewise be a certificate of a person authorized to administer oaths, indorsed on or annexed to a statement of the debt due on the judgment or decree, that the creditor or his agent since the death of the deceased has taken before him the following oath: "That the creditor has not received any part of the sum for which the judgment or decree was passed except such part (if any) as is credited". Where the creditor on the judgment or decree is an assignee of the person who obtained it, the oath shall continue, as follows: "and that to the best of his knowledge or belief no other person has received any part of the sum except such part (if any) as is credited". An assignee shall also produce the assignment under the hand of the assignor. Where there is more than one assignment, each assignment shall be produced under the hand of the party assigning.

§ 20-1303. Bond, note, check, protested bill of exchange; original or copy of instrument to constitute voucher

In case of a specialty, bond, note, check, or protested bill of exchange, the vouchers shall be the instrument of writing itself, or a proved copy in case it is lost, with a certificate of the oath taken as prescribed by section 20-1302 since the death of the decedent and indorsed on or annexed to the instrument, or a statement of the claim "that no part

of the money intended to be secured by the instrument has been received or any security or satisfaction given for it except what (if any) is credited.".

§ 20-1304. Proof by assignee

Where the creditor in an instrument specified by section 20-1303 is an assignee, the creditor or agent shall take and subscribe the same oath, according to the best of his knowledge and belief, with respect to any payments prior to the time of the assignment.

§ 20-1305. Proof of commercial papers

Where the claim consists of a bill of exchange or other commercial paper, the protest or whatever would be required, if the deceased were alive, is necessary to justify an executor or administrator in making payment or distribution.

§ 20-1306. Claims for rent

Where the claim is for rent, there shall be produced the lease itself, or the deposition of a credible witness, or an acknowledgment in writing of the deceased, establishing the contract and the time which has elapsed during which rent was chargeable, and a statement of the sum due for the rent, with an oath of the creditor or agent indorsed thereon "that no part of the sum due for the rent or any security or satisfaction for the same has been received except what (if any) is credited.".

The proof of a claim for rent in arrears, in order to render the claim a preferred claim, shall be the proofs and vouchers for rent specified by this section, and proof that the claim is such that an attachment therefor might be levied on the deceased's goods and chattels in the hands of the administrator. The preference given for rent does not impair the landlord's right of attachment where he believes it proper to exercise the right.

§ 20-1307. Open account

The vouchers or proofs of a claim on open account shall be a certificate of an oath taken by the creditor or agent since the death of the decedent, indorsed on or annexed to the account, that the account as stated is just and true, and that he, the creditor, or any one for him, has not received any part of the money stated to be due or any security or satisfaction for it except what (if any) is credited.

§ 20-1308. Claims outside of District

When an affidavit or deposition to prove claims has been taken out of the District of Columbia, it is valid if taken and certified by a notary public as provided by this chapter, or by a person there authorized to administer oaths, and certified to be such under the seal of the clerk of a court of record, or by an officer having official cognizance of the fact, and the oath shall be as available as if taken before an officer authorized to administer oaths within the District of Columbia. The additional certificate specified by this section is not required as to notaries public within the United States or a place under the jurisdiction thereof when the seal of the notary is attached.

§ 20-1309. Executor's or administrator's claim to be under oath

Where a creditor is an executor or an administrator his claim may not be received, although vouched and approved as provided by this chapter, unless he makes oath, to be certified as provided by this chapter, "that it does not appear from any book or writing of his decedent that any part of the claim has been discharged except what (if any) is credited, and that to the best of the deponent's knowledge and belief no part of the claim has been discharged and no security or satisfaction given for it except what (if any) is credited.".

§ 20–1310. Plea of limitations within discretion of executor or administrator

An executor or administrator is not required to avail himself of the statute of limitations to bar what he supposes to be a just claim.

§ 20–1311. Claims may be rejected and disputed

An executor or administrator is not required to discharge a claim of which vouchers and proofs have been exhibited as provided by this chapter, but may reject and at law dispute the claim where he has reason to believe that the deceased never owed the debt, or had discharged it, or a part thereof, or had a claim in bar.

§ 20–1312. Passing of claims not conclusive

An order made by the Probate Court that an account or claim will pass when paid is not valid to establish the claim or account. Where the executor or administrator thinks fit to contest it, the account or claim does not derive validity from the order, but shall be proved in the same manner as if the order had not been made.

§ 20–1313. Payment of claims

An executor or administrator shall, within thirteen months from the date of his letters, or within such further time, not exceeding four months, as the Probate Court allows on his making oath that he has reason to apprehend that the personal estate and assets which are or shall be in his hands will be insufficient to discharge the just debts of and claims against the deceased, discharge all the claims known to him or pay each claimant his just proportion of the money then in his hands, retaining as directed by this chapter. Also, he shall, once in every six months after the first distribution, make a distribution of the money which has since come to his hands until he has fully administered, and on failure his administration bond may be sued upon.

§ 20–1314. Notice of distribution

When an executor or administrator is to make payment or distribution among the creditors of his decedent, he may give notice three successive weeks previously in a convenient newspaper of the time and place for making it. If a creditor does not attend in person or by agent or attorney to receive the amount or proportionable part of his claim, all interest on the claim or proportionable part ceases from that time. The executor or administrator shall at any time thereafter, on demand, pay the claims, or a proportionable part, to the party, his agent, or duly authorized attorney. When the executor or administrator proceeds to make an additional payment or dividend he may advertise as provided by this section, and interest ceases as also provided by this section. If, at the time for the making of an additional dividend, a just claim, established as directed by this chapter, is exhibited, the creditor is entitled to such sum as will place him on an equal footing with those who have already received a dividend.

§ 20–1315. Retaining for claims

An executor or administrator shall pay all just claims against his decedent exhibited to him, or a just proportionable part thereof, according to the assets. Where a claim is known to him, although it is not exhibited, he shall retain the assets, or a just proportionable part, for the benefit of the creditor. Where an executor or administrator has actual knowledge of a claim which has not been exhibited or passed he shall give notice in writing to the creditor, requiring the claim to be either exhibited or passed, as provided by this chapter, within 30 days if the creditor is a resident of the District of Columbia, and within 90 days if he is a nonresident. After the expiration of that period, and

after the expiration of the period for distribution provided by section 20–1313, the executor or administrator may not be required to retain any part of the estate for the benefit of the creditor, unless in the meantime the claim has been so exhibited or passed.

§ 20–1316. Executor or administrator to withhold amount claimed pending litigation

Where an action is commenced against an executor or administrator for the recovery of a larger debt or damages than he considers due, so that it cannot be ascertained before verdict, the executor or administrator may retain such sum to meet the debt or damages as the Probate Court allows. Where more than enough is allowed, the party shall afterwards account for it, but a sum may not be retained on account of the further debt or damages when the court is satisfied that there will be money sufficient coming in after the dividend to meet the damages, or a just proportion thereof, regard being had to other claims.

§ 20–1317. Claims of executors and administrators to be passed by Court

An executor or administrator may not be allowed to retain for his own claim against the decedent, unless the claim is passed by the Probate Court. Such a claim stands on an equal footing with other claims of the same nature.

§ 20–1318. Period during which creditors may file suit after claim is contested

If a claim is exhibited against an executor or administrator which he considers his duty to dispute or reject, he may retain in his hands assets proportioned to the amount of the claim, which assets shall be liable to other claims, or to be delivered up or distributed in case the claim is not established. If, on a claim exhibited and disputed, the creditor or claimant does not, within three months after the dispute or rejection, commence a suit for recovery, he is forever barred. On a dividend to be made three months after the dispute or rejection and failure to bring suit, the executor or administrator may proceed to pay or distribute as if he had no knowledge or notice of the claim or as if it did not exist. If the claim is sued upon within the three-month period, it may be ascertained by verdict or otherwise, and the court shall proceed as directed by this chapter, regard being had to the rules laid down by this chapter as to the notice to be given by the executor or administrator and distribution or payment shall be made after the notice.

§ 20–1319. Executor or administrator not responsible for claims made after distribution

When all the assets have been paid away, delivered, or distributed as directed by this chapter, and afterwards a claim is exhibited of which the executor or administrator has no knowledge or notice by the exhibition of the claim legally authenticated, as required by this chapter, he is not answerable for it. When he is sued for a claim and makes it appear to the court in which suit is brought that he has so paid away, delivered, or distributed, and the plaintiff cannot prove that the defendant had notice as herein specified before the payment, delivery, or distribution, the court, although the amount of the claim against the deceased may be ascertained, may not give judgment until the plaintiff is able to show further assets coming into the defendant's hands; but if the plaintiff proves notice, as herein specified, of the claim against the defendant, judgment may be immediately given for such sum as the plaintiff ought to have received at the dividend, and fieri facias may issue and have effect, and further judgment may be given on the coming in of further assets.

§ 20–1320. Notice to creditors to file claims

An executor or administrator who, after six months from the date of his letters, pays away assets to the discharge of just claims is not answerable for any claim of which he had no knowledge or notice by an exhibition of the claim legally authenticated, if, at least three months before he makes distribution he causes to be inserted in as many newspapers as the Probate Court directs, a notice to the following effect: "This is to give notice that the subscriber, of ———, has obtained from the Probate Court of the District of Columbia letters testamentary (or of administration) on the personal estate of ———, late of ———, deceased. All persons having claims against the deceased are hereby warned to exhibit the same, with the vouchers thereof legally authenticated, to the subscriber on or before the ——— day of ——— next; they may otherwise by law be excluded from all benefit of the estate.

"Given under my hand this ——— day of ———.".

§ 20–1321. Report and proof of notice

The executor or administrator may report to the court, with an affidavit of the proof thereof annexed, the fact of having given the notice specified by section 20–1320, and the court, on being satisfied that its order has been complied with and the notice has been given, shall indorse on the report its certificate that it has been proven to its satisfaction that the notice has been given as therein reported, and shall order the report and certificate to be recorded among the records of the court.

§ 20–1322. Report of notice as prima facie evidence; copy as legal evidence

The report and certificates specified by section 20–1321 are prima facie evidence of the giving of the notice as therein stated; and a copy of the report, certificate, and order, under the seal of the Register of Wills, is legal and competent evidence.

§ 20–1323. Docket of claims

The Register of Wills shall enter in a suitable book, to be provided by him for that purpose, all claims against a decedent as they are regularly passed by the Probate Court, giving the date of the passage, the name of the creditor, the character of the claim, whether on note or open account, bond, bill, obligation, judgment, or other evidence of debt, and the amount thereof; and the entry of a claim upon the docket constitutes notice to the executor or administrator of its existence.

§ 20–1324. Filed claim no evidence of correctness if disputed; filing as tolling limitations

A claim entered on the docket as provided by section 20–1323 does not afford evidence as to the justice or correctness of a debt therein entered when it is controverted by an executor or administrator in a suit instituted for the recovery of the debt; and it does not take a debt out of the operation of a defense of limitations.

§ 20–1325. Priorities

(a) The debts of the decedent shall be paid according to the following priority:

(1) funeral expenses, according to the condition and circumstances of the deceased, not exceeding $600;

(2) claims for rent in arrears for which an attachment might be levied by law;

(3) judgments and decrees of courts in the District of Columbia;

(4) all other just claims, which shall be on an equal footing, without priority.

(b) Where there are not sufficient assets to discharge all the judgments and decrees specified in item (3) of subsection (a) of this section, a proportionate dividend shall be made between the judgment and decree creditors.

(c) This section is subject to section 19-101 and chapter 21 of this title relating to the family allowance and the administration of small estates.

§ 20-1326. No claim to be noticed unless legally authenticated

An executor or administrator is not bound to discharge a claim against his decedent unless it is exhibited to him, legally authenticated, or unless the claim has been passed by the Probate Court and entered by the Register of Wills upon his docket.

§ 20-1327. Meeting of creditors

An executor or administrator may appoint a meeting of creditors on a day approved by the court, and passage of claims, payment, or distribution may be there made under the court's direction and control.

§ 20-1328. Distribution of residue

When it appears by the first or other account of an executor or administrator that all the claims against, or debts of, the decedent which have been known by or notified to him have been discharged or allowed for in his account, he shall deliver up and distribute the surplus or residue of the personal estate not disposed of by a will, as directed by chapters 3 and 7 of title 19, but his power and duty with respect to future assets do not cease. After the delivery he is not liable for debts afterwards notified to him, when he has advertised as directed by this chapter, unless assets afterwards come into his hands which are answerable for debts.

§ 20-1329. Creditor's rights against property of nonresident decedent; limitation

(a) On the death of a person not domiciled in the District of Columbia at the time of his death so much of his real and personal estate in the District of Columbia as may be necessary for the payment and discharge of just claims against him of creditors and persons domiciled in the District of Columbia are also the subject of administration under authority and direction of the Probate Court, irrespective of the personal estate of the decedent at his place of domicile or elsewhere.

(b) The prosecution of claims referred to by subsection (a) of this section shall be commenced within six months after the death of the decedent.

CHAPTER 15—SUITS

Sec.
20-1501. Suits by and against executors and administrators.
20-1502. Judgments against executor or administrator; amount of damages; when assessed.
20-1503. Concealment of assets by strangers.
20-1504. Concealment by executor or administrator.
20-1505. Suits by foreign executors and administrators.
20-1506. Suits on bonds against heirs.

§ 20-1501. Suits by and against executors and administrators

(a) Executors and administrators may commence and prosecute any civil action which the testator or intestate might have commenced and prosecuted, and may be sued in any civil action which might have been maintained against the deceased.

(b) In a civil action based on a tort claim, brought by or against an executor or administrator, the right of action conferred by this

section is limited to damages for personal injury. It does not include the right to recover for pain and suffering.

§ 20-1502. Judgments against executor or administrator; amount of damages; when assessed

(a) When the verdict of the jury in a suit against an executor or administrator is against the defendant, or he is willing to confess judgment, and the debt or damages which the deceased, if alive, ought to pay, is ascertained by verdict, or confession, or otherwise, the court shall assess the sum which the executor or administrator ought to pay, regard being had to the amount of assets in his hands and the debts due to other persons. When it appears to the court that there are assets to discharge all just claims against the deceased, the judgment shall be for the whole debt or damages found by the jury, or confessed, or otherwise ascertained, and costs. When it appears to the court that there are not sufficient assets to discharge all just claims against the deceased, the judgment shall be for such sum only as bears a just proportion to the amount of the debt or damages and costs, regard being had to the amount of all the just claims and of the assets.

(b) The court may not assess, as provided by subsection (a) of this section, and enter judgment against an executor or administrator until the time limited by law or by the court for the executor or administrator to pass his account has expired and the executor or administrator has made oath that he does not have assets to discharge all the just claims. The account settled by the Probate Court, in which the debt or damages sued for ought to be stated, is evidence to show the amount of assets and claims; and the court may, when the actual debt or damages are ascertained, refer the matter to an auditor to ascertain the sum for which judgment shall be given. When the judgment is for a sum inferior to the real actual or damage and costs, it shall also stipulate "that the plaintiff be entitled to such further sum as the court shall hereafter assess on discovery of further assets in the hands of the defendant". The court, at any time afterwards, when applied to by the plaintiff, on three days' notice to the defendant or his attorney, may assess and give judgment for such further proportionable sum as the plaintiff appears entitled to, regard being had as provided by this section to the amount of the debt and other claims. On a judgment entered as provided by this section a fieri facias may issue against the defendant, and either his own goods or the goods of the deceased may be thereupon taken and sold. The executor or administrator shall discharge the judgment or put it on a footing with other just claims, and on failure his bond may be sued upon by the plaintiff.

§ 20-1503. Concealment of assets by strangers

When an executor, administrator, or collector believes that a person is concealing any part of his decedent's estate, he may file a petition in the court alleging the concealment, and the court may compel an answer thereto on oath. When the court is satisfied, upon an examination of the whole case, that the party charged has concealed any part of the estate of the deceased, it may order the delivery thereof to the executor, administrator, or collector, and may enforce obedience to the order in the same manner in which orders of the court may be enforced.

§ 20-1504. Concealment by executor or administrator

If a person interested in a decedent's estate by petition alleges that the executor, administrator, or collector has concealed or has in his hands and has omitted to return in the inventory or list of debts any part of his decedent's assets, and the court finally adjudges and decrees in favor of the allegations of the petition, in whole or in part,

it shall order an additional inventory or list of debts, as the case may be, to be returned by the executor, administrator, or collector, and appraisement to be made accordingly, to comprehend the assets omitted. The court may compel obedience to the order, and, if it is not complied with, revoke the letters and order the bond of the executor, administrator, or collector to be put in suit.

§ 20-1505. Suits by foreign executors and administrators

A person to whom letters testamentary or of administration have been granted by the proper authority in any of the United States or the territories thereof may maintain a suit or action and prosecute and recover a claim in the District of Columbia in the same manner as if the letters had been granted to him in the District. The letters, or a copy thereof certified under the seal of the authority granting them, are sufficient evidence to prove the granting of the letters, and that the person has administration. The Probate Court of the District of Columbia may, however, upon the petition of any one interested, require from the person the security required by law in like cases from a resident administrator or executor, or the court may grant auxiliary or ancillary letters, if the case requires, to the same person or other persons.

§ 20-1506. Suits on bonds against heirs

A creditor by a bond which purports to bind the heirs of the obligor may not sue the heirs in respect of assets descended to them, but shall make his claim against the estate in the same manner as required of other creditors. Debts arising by specialty and by simple contract, without distinction, are payable primarily out of the personal estate, and, if that is insufficient, are payable equally and without preference out of the proceeds of the real estate.

CHAPTER 17—ACCOUNTS

Sec.
20-1701. Time for rendering first account.
20-1702. Subsequent accounts.
20-1703. Failure to account.
20-1704. Assets to be charged.
20-1705. Disbursements and allowances.
20-1706. Bequests to executors.
20-1707. Executor of deceased executor or administrator to render account.
20-1708. Accounts of deceased executrix or administratrix.
20-1709. Lost property.
20-1710. Executor or administrator of deceased executor or administrator entitled to commission; accounts.

§ 20-1701. Time for rendering first account

An executor or administrator shall render to the Probate Court within twelve months from the date of his letters the first account of his administration, and may render the account six months after the date of his letters.

§ 20-1702. Subsequent accounts

When the first account of an executor or administrator does not show the estate which was on hand to be fully administered, the executor or administrator shall render other accounts from time to time until the estate is fully administered, under such rules as the court establishes.

§ 20-1703. Failure to account

If an executor or administrator fails to return an account within the time limited by law or fixed by the rules of court, or within such further time as the Probate Court allows, his letters, on application of a person interested, may be revoked and administration granted at the discretion of the court.

§ 20-1704. Assets to be charged

In the account, the executor or administrator shall state, on one side, the assets which have come to his hands, according to the inventory returned to the court, or received and appraised after the inventory returned, and the sales made under the court's direction. The inventories shall show the articles of the estate, and the sales, the amount of their value, and where they have been sold. For articles so sold the executor or administrator shall be charged the price according to the return. When articles have been sold for credit and not yet paid for they shall be accounted for in a subsequent account, and all moneys received for debts due the decedent shall be included in the account.

§ 20-1705. Disbursements and allowances

On the other side of the account the executor or administrator shall state the disbursements made by him, and debts and allowances, as follows:

(1) funeral expenses, to be allowed at the discretion of the court, according to the condition and circumstances of the deceased, not exceeding $600, except that for special cause shown the court may make an additional allowance, not exceeding $400;

(2) the family allowance provided for by section 19-101;

(3) the debts of the deceased proved or passed as directed by this title, and paid or retained;

(4) the allowance for things lost, or which have perished without his fault, which allowance shall be according to the appraisement;

(5) the commissions of the executor or administrator, which shall be, at the discretion of the court, not under one per centum nor exceeding ten per centum on the amount of the inventories, excluding what is lost or has perished; and

(6) the allowance to the executor or administrator for his costs, attorney fees, and extraordinary expenses which the court considers proper to allow.

§ 20-1706. Bequests to executors

Where anything is bequeathed to an executor by way of compensation, an allowance of commission may not be made unless the compensation appears to the court to be insufficient. Where it is insufficient, it shall be reckoned in the commission to be allowed by the court.

§ 20-1707. Executor of deceased executor or administrator to render account

The executor or administrator of a deceased executor or administrator who dies before an account of his administration has been rendered shall render an account showing the amount of the assets received and the payment made by his decedent. The account so rendered shall, if found by the court to be correct, be admitted to record as other administration accounts.

§ 20-1708. Accounts of deceased executrix or administratrix

The husband of an executrix or administratrix who dies before a final account of her administration has been settled shall render an account, if required by the court, showing the amount of money and property received and of payments and disbursements made by the executrix or administratrix, or that may have been received or paid by him, and not before accounted for with the court. The account so rendered shall, if found by the court to be correct, be admitted to record as other administration accounts in cases where the executrix or administratrix rendered them in person. If the husband

refuses to render the account, the court may proceed against him by attachment, and may commit him until he renders the account.

§ 20-1709. Lost property

The Probate Court may make allowance to an executor, administrator, or collector for property of the decedent which has perished or been lost without the fault of the party. Profit may not be made and loss may not be sustained by an executor or administrator in the increase or decrease of the estate under his management. He shall return an inventory and account for the increase, and may be allowed for the decrease on the settlement of the final or other account.

§ 20-1710. Executor or administrator of deceased executor or administrator entitled to commission; accounts

The executor or administrator of a deceased executor or administrator shall return, on oath, to the court, on or before the day named as provided by section 20-359(b), a list of the bonds, notes, accounts, and money provided by subsection (a) of that section, and may retain out of the money such commission as the court allows, not exceeding ten per centum on the principal inventory. The personal estate and money turned over by him constitute assets in the hands of the administrator de bonis non, to be accounted for by him as such.

CHAPTER 19—DISTRIBUTION OF SURPLUS

Sec.

20-1901. Distribution; when to be made.
20-1902. Distribution of specific property.
20-1903. Distribution of specific articles; how to be made.
20-1904. Partial distribution.
20-1905. Distribution of specific bequests.
20-1906. Bequest to female.
20-1907. Meeting of legatees or next of kin.

§ 20-1901. Distribution; when to be made

When the debts of an intestate, exhibited and proved, or notified and not barred, have been discharged or settled, or allowed to be retained for as directed by this title, the administrator shall make distribution of the surplus as provided by chapters 3 and 7 of Title 19.

§ 20-1902. Distribution of specific property

Where the surplus remaining in an administrator's hands after payment of all just debts exhibited and proved or notified and not barred, or after retaining for them, consists of specific property or articles mentioned in the inventory, the administrator, if he cannot satisfy the parties, may apply to the court to make distribution. The Probate Court may appoint a day for making distribution, and by summons call on the parties to appear, and, at the appointed time, proceed to distribute. If a majority in point of value neglect to appear, or, if appearing, object to the distribution of the articles, or if the court deems a sale of the articles or any part of them more advantageous, it shall order a sale accordingly, and the rules provided by this title relative to a sale by order of the court shall be observed.

§ 20-1903. Distribution of specific articles; how to be made

When a distribution of specific articles is to be made the court may appoint two disinterested persons, not in any way related to the parties concerned, to make the distribution among the persons entitled as to them seems proper; or when, in their opinion, upon a view of the articles, a distribution among the persons entitled could not be by them made which would operate equally, but a sale thereof would be more advantageous to the persons, they shall return to the court their opinion in writing. The court shall thereupon order a sale of the articles, upon reasonable notice, and cause the proceeds of the sale to be equally distributed among the parties entitled.

§ 20-1904. Partial distribution

When a person applies to the Probate Court by petition, and satisfies the court that he is in want of subsistence or greatly straitened in circumstances, and that it probably will not require more than one-half of the assets to discharge the debts, the court may direct the executor or administrator to deliver to the petitioner any part of what the court believes will be his distributive share, or any part of a legacy or bequest in money not exceeding one-third part, the petitioner giving bond, with security approved by the court, to the executor or administrator for returning the part so delivered, or an equivalent, with interest, when so directed by the court. The court may determine in a summary way on the petition, after summons against the executor or administrator duly returned "summoned" or "non est".

§ 20-1905. Distribution of specific bequests

The court, in like manner as provided by section 20-1904, on a petition by a person in circumstances as described in that section, to whom a specific legacy or bequest has been made, being satisfied that the assets, exclusive of all specific legacies, will not be nearly exhausted by debts, may direct the executor or administrator with the will annexed to deliver to the petitioner the specific legacy or bequest on his giving bond as provided by section 20-1904.

§ 20-1906. Bequest to female

When a bequest of personal property or money is made to a female and directed by the will to be paid on her attaining to full, mature, or to a lawful age, the female is entitled to receive and demand the personal property or money on arriving at the age of 18 years or on being married.

§ 20-1907. Meeting of legatees or next of kin

An administrator may appoint a meeting of persons entitled to distributive shares or legacies or a residue, on a day approved by the court, and payment or distribution may be made at the meeting under the court's direction and control.

CHAPTER 21—ADMINISTRATION OF SMALL ESTATES

Sec.
20-2101. Petition for distribution of small estate; order.
20-2102. Waiver of administration; notice to creditors; final order.
20-2103. Exemptions from liability.
20-2104. Waiver of bond and commissions.
20-2105. Forms to be furnished; fees.
20-2106. Discovery of additional property.
20-2107. Penalties for false affidavits and other violations.
20-2108. Application of chapter.

§ 20-2101. Petition for distribution of small estate; order

(a) When a person dies, leaving a small estate consisting only of personal property of a value not in excess of $500, the surviving spouse or minor children entitled to the family allowance authorized by section 19-101 may file in the Probate Court a petition, under oath, declaring:

(1) the time and place of decedent's death;

(2) the known next of kin;

(3) the known assets and by whom they are held;

(4) that the petitioner has made a diligent search to discover all assets of the deceased;

(5) the amount of the funeral expenses and to whom they are due; and

(6) that the assets do not exceed $500 in value.

The minor children shall act through the person having their custody or a next friend.

(b) When the Probate Court is satisfied that the allegations in a petition filed under subsection (a) of this section are true, it shall enter a final order:

(1) declaring that formal administration is not necessary and that probate of a will is not required;

(2) fixing the amount of funeral expenses allowable and specifying to whom they are due and out of what property they are to be paid;

(3) vesting title to the remainder of the property in the surviving spouse or minor children, as the case may be, in satisfaction of the family allowance; and

(4) directing the persons having possession of the property to pay over, transfer, and deliver it as allotted.

The Probate Court may also authorize in the order, or by further order, the sale of any of the property as the exigencies of the situation require.

§ 20-2102. Waiver of administration; notice to creditors; final order

(a) When a person dies intestate, leaving a small estate consisting only of personal property of a value not in excess of $500, and there is no surviving spouse or minor child, the person entitled to be preferred in the appointment of an administrator may file in the Probate Court a petition, under oath, declaring:

(1) the time and place of the decedent's death;

(2) the known next of kin;

(3) that diligent search has been made for a will and none has been found;

(4) the known creditors, together with the amount of each claim, including contingent and disputed claims;

(5) the amount of the funeral expenses;

(6) the known assets and by whom they are held;

(7) that the petitioner has made a diligent search to discover all assets and debts of the deceased;

(8) that the assets do not exceed $500 in value; and

(9) that there are no known legal proceedings pending in which the decedent is a party.

(b) When the Probate Court is satisfied that the allegations in a petition filed under subsection (a) of this section are true, it shall enter a preliminary order declaring that formal administration is not necessary, and instructing the petitioner to publish once, in substantially the usual form, notice to creditors to exhibit their claims, duly authenticated, within 30 days after the notice. The notice shall be inserted in one newspaper of general circulation in the District of Columbia as the court directs.

(c) When a preliminary order has been entered and the notice has been published, as provided by subsection (b) of this section, and the time provided in the notice has expired, the petitioner shall file, under oath, a statement, with the usual proof of publication attached, that the notice has been published, and that the time has expired, and listing all then known creditors, including contingent and disputed claims, and the amount of each claim.

(d) When the Probate Court is satisfied that the statement filed under subsection (c) of this section is true, and after hearing and disposing of any objections filed in the court by persons interested in the estate, it shall enter a final order:

(1) directing the petitioner to pay from the estate all the claims, in the order of priority provided by law;

(2) authorizing a person having possession of any property of the estate to transfer, pay over, and deliver it in accordance with the petitioner's directions; and

(3) decreeing that, after the Register of Wills certifies upon the final order that he has seen the vouchers for the payment of the claims and is satisfied that the claims, as well as the fees provided for by this chapter, have been paid, the remaining balance of the estate, if any, shall be vested:

(A) in the adult surviving children, equally; or

(B) if there is no adult surviving child, then in those persons who would be entitled to the remaining balance of the estate under chapter 3 of Title 19.

The share of a minor is payable, in the discretion of the court, to the person having custody of the minor or to such other person as the court designates, to be used solely for the care and maintenance of the minor.

(e) The court may also provide in its final order issued under subsection (d) of this section for the sale of any property, upon such terms as it deems advisable, and for the distribution of the proceeds in accordance with the order.

§ 20–2103. Exemptions from liability

In the absence of fraud, a person who pays over, transfers, or delivers property pursuant to a final order entered under section 20–2101, or pursuant to the directions of a petitioner acting under authority of a final order under section 20–2102, is not liable for the application thereof, and he, or a person who receives any property pursuant to a final order entered under section 20–2101, or pursuant to the directions of a petitioner acting under authority of a final order under section 20–2102, is not responsible for any claims on account of the payment, transfer, delivery, or receipt of the property. The property distributed pursuant to a final order in either case becomes the absolute property of the respective distributees thereof.

§ 20–2104. Waiver of bond and commissions

A petitioner under this chapter is not required to be represented by an attorney, or to give bond, and he may not receive a commission for performing services under this chapter.

§ 20–2105. Forms to be furnished; fees

The Register of Wills shall prepare, and make available, forms whereby the petition and final order under section 20–2101, and the petition, preliminary order, the statement, the final order, and the certificate of payment under section 20–2102, shall constitute in each case one connected instrument. In lieu of all other fees, costs, or charges, the Register of Wills shall receive a fee of $5 for all services administered under this chapter, including the taking of affidavits, plus a fee of 25 cents for each certified copy of the instruments.

§ 20–2106. Discovery of additional property

The discovery of additional property of the decedent, after the filing of a petition in either case provided for by this chapter, shall be reported by the petitioner to the Probate Court as soon as discovered by him. The existence of the additional property does not invalidate any proceedings under this chapter except when the additional property is discovered before the entry of the final order provided for, and either (1) is real estate, or (2) increases the total value of the estate to more than $500. In either case a final order may not be entered under this chapter, and the court shall require regular administration. When additional personal property is discovered after entry of the final order, which does not increase the value of the total estate to more

than $500, the additional property may be distributed pursuant to a new petition. In all other cases the additional property may not be distributed under this chapter.

§ 20-2107. Penalties for false affidavits and other violations

Whoever makes a false affidavit under this chapter, or willfully violates an order of the Probate Court under this chapter, shall be fined not more than $500 for each offense.

§ 20-2108. Application of chapter

This chapter applies to estates of persons dying after June 24, 1949; and where there is a conflict or inconsistency between this chapter and any other law, this chapter governs.

CHAPTER 23—ESTATES OF ABSENTEES AND ABSCONDERS

Sec.
20-2301. Petition for appointment of receiver, where absentees interested in property; United States attorney as party.
20-2302. Warrant to United States marshal; fees of marshal.
20-2303. Notice of hearing to absentee and interested parties.
20-2304. Time of hearing; publication and posting of notice.
20-2305. Appointment of receiver; bond; finding of date of disappearance.
20-2306. Transfer of property to receiver; schedule of property.
20-2307. Possession, by receiver, of additional property; collection of debts.
20-2308. Procedure where absentee left only debts due; appointment of receiver.
20-2309. Care, custody, sale of property.
20-2310. Support of absentee's wife and minor children.
20-2311. Receiver may adjust claims of or against estate.
20-2312. Compensation of receiver; interest of absentee in property to cease after fourteen years.
20-2313. Distribution after fourteen years as if absentee had died intestate.
20-2314. Time for distribution and accounting when receiver not appointed within thirteen years.
20-2315. Construction with other laws.

§ 20-2301. Petition for appointment of receiver, where absentees interested in property; United States attorney as party

(a) If a person entitled to or having an interest in property in the District of Columbia has disappeared or absconded from the District of Columbia, and it is not known where he is, or if he, having a wife or minor child, dependent to any extent upon him for support, has disappeared or absconded without making sufficient provision for the support, and it is not known where he is, or if his whereabouts is known and he has been without the District of Columbia continuously for two years or longer, a person who would under the law of the District of Columbia be entitled to administer upon the estate of the absentee if he were deceased, or, if no one is known to be so entitled, any suitable person, or the wife, or someone in her or the minor's behalf, may file a petition, under oath, in the United States District Court for the District of Columbia, stating:

(1) the name, age, occupation, and last known residence or address of the absentee;

(2) the date and circumstances of the disappearance or absconding; and

(3) the names and residences of other persons, whether members of the absentee's family or otherwise, of whom inquiry may be made.

The petition shall also contain a schedule of the property, real and personal, of the absentee, as far as known, within the District of Columbia, and pray that the property be taken possession of, and a receiver be appointed under this chapter.

(b) The United States attorney for the District of Columbia shall be made a party to a petition filed under subsection (a) of this section, and shall be given notice of all subsequent proceedings under this chapter.

§ 20–2302. Warrant to United States marshal; fees of marshal

Upon the filing of a petition under section 20–2301, the court may issue a warrant directed to the United States marshal for the District of Columbia, commanding him to take possession of the property named in the schedule and hold it subject to the order of the court, and make return of the warrant as soon as may be, with a statement of his actions thereon and a schedule of the property so taken. The marshal shall post a copy of the warrant upon each parcel of land named in the schedule and cause so much of the warrant as relates to land to be recorded with the recorder of deeds of the District of Columbia. He shall receive such fees for serving the warrant as the court allows, but not more than those established by law for similar service upon a writ of attachment. If the petition is dismissed, the fees and the cost of publishing and serving the notice provided for by this chapter shall be paid by the petitioner; but if a receiver is appointed, they shall be paid by the receiver and allowed in his account.

§ 20–2303. Notice of hearing to absentee and interested parties

Upon the return of the warrant issued under section 20–2302, the court may issue a notice reciting the substance of the petition, the warrant, and the marshal's return, which shall be addressed to the absentee and to all persons who claim of record an interest in the property, or who are known to petitioner to claim an interest in the property, and to all whom it may concern, citing them to appear at a time and place named and show cause why a receiver of the property named in the marshal's schedule should not be appointed and the property held and disposed of under this chapter.

§ 20–2304. Time of hearing; publication and posting of notice

The return day of the notice issued under section 20–2303 shall be not less than 30 nor more than 60 days after its date unless otherwise ordered by the court. The court shall order the notice to be published not less than once in each of three successive weeks in one or more newspapers within the District of Columbia, and a copy to be posted in a conspicuous place and upon each parcel of land named in the marshal's schedule, and a copy to be mailed to the last known address of the absentee. The court may order other and further notice to be given within or without the District of Columbia.

§ 20–2305. Appointment of receiver; bond; finding of date of disappearance

The absentee or a person who claims an interest in any of the property may appear and show cause why the prayer of the petition filed under section 20–2301 should not be granted. The court may, after hearing, dismiss the petition and order the property in possession of the marshal to be returned to the person entitled thereto, or it may appoint a receiver of the property which is in the possession of the marshal and named in his schedule. When a receiver is appointed, the court shall find and record the date of the disappearance or absconding of the absentee. The receiver shall give bond to the court in such sum and with such conditions as the court orders, with a corporate surety thereon approved by the court.

§ 20–2306. Transfer of property to receiver; schedule of property

After the approval of the bond required by section 20–2305, the court may order the marshal to transfer and deliver to the receiver the possession of the property under the warrant provided by section 20–2302, and the receiver shall file in the court a schedule of the property received by him.

§ 20–2307. Possession, by receiver, of additional property; collection of debts

Upon petition of a receiver appointed under section 20–2305, the court may direct him to take possession of any additional property within the District of Columbia which belongs to the absentee and to demand and collect all debts due the absentee from any person within the District of Columbia, and hold the property and moneys collected as if they had been transferred and delivered to him by the marshal.

§ 20–2308. Procedure where absentee left only debts due him; appointment of receiver

When the absentee has left no corporeal property within the District of Columbia, but there are debts and obligations due or owing to him from persons within the District of Columbia, a petition may be filed, as provided by section 20–2301, stating the nature and amount of the debts and obligations, as far as known, and praying that a receiver thereof be appointed. The court may thereupon issue a notice as provided by section 20–2303, without issuing a warrant, and may, upon the return of the notice and after a summary hearing, dismiss the petition or appoint a receiver and direct him to demand and collect the debts and obligations specified in the petition. The receiver shall give bond as provided by section 20–2305, and shall hold the proceeds of the debts and obligations and all property received by him, and distribute them as hereafter provided by this chapter. The court may confer upon the receiver such further authority as may be conferred under section 20–2307.

§ 20–2309. Care, custody, sale of property

The court may make orders for the care, custody, leasing, and investing of property and its proceeds in the possession of a receiver appointed under this chapter. After the appointment of a receiver, upon his petition and after notice, the court may order all or part of the property, including the rights of the absentee in land, to be mortgaged, or sold at public or private sale, to supply money for payments authorized by this chapter or for reinvestment approved by the court.

§ 20–2310. Support of absentee's wife and minor children

The court may order the property held by the receiver under this chapter, or its proceeds acquired by mortgage, lease, or sale, to be applied in payment of charges incurred or that may be incurred in the support and maintenance of the absentee's wife and minor children, and to the discharge of debts and claims for alimony proved against the absentee.

§ 20–2311. Receiver may adjust claims of or against estate

The court may authorize a receiver appointed under this chapter to adjust by arbitration or compromise demands in favor of or against the estate of the absentee.

§ 20–2312. Compensation of receiver; interest of absentee in property to cease after fourteen years

A receiver appointed under this chapter shall be allowed such compensation and disbursements as the court orders, to be paid out of the property or proceeds. If within 14 years after the date of the disappearance and absconding as found and recorded by the court, the absentee appears, or an administrator, executor, assignee in insolvency, or trustee in bankruptcy of the absentee is appointed, the receiver shall account for, deliver, and pay over to him the remainder of the property. If the absentee does not appear and claim the property within the 14-year period specified, all his right, title, and interest in the property, real or personal, or the proceeds thereof shall cease, and no action may be brought by him on account thereof.

§ 20–2313. Distribution after fourteen years as if absentee had died intestate

When, at the expiration of the 14-year period specified by section 20–2312, the property has not been accounted for, delivered, or paid over under section 20–2312, the court shall order the distribution of the remainder to the persons to whom, and in the shares and proportions in which, it would have been distributed if the absentee had died intestate within the District of Columbia on the day 14 years after the date of the disappearance or absconding as found and recorded by the court.

§ 20–2314. Time for distribution and accounting when receiver not appointed within thirteen years

When a receiver is appointed more than 13 years after the date found by the court under section 20–2305, the time limited for accounting for, or fixed for distributing, the property or its proceeds, or for barring actions relative thereto, is one year after the date of his appointment instead of the 14 years provided by sections 20–2312 and 20–2313; except that the time limited for accounting for, or fixed for distributing, any additional property or its proceeds within the District of Columbia coming into the possession of the receiver during the one year period, or for barring actions relative thereto, is one year after the date possession is taken by the receiver.

§ 20–2315. Construction with other laws

77 Stat. 522.

This chapter does not modify sections 14–701 and 14–702.

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Subchapter I—Appointment of Guardian; Bond

§ 21-101. Natural guardians of the person

(a) The father and mother are the natural guardians of the person of their minor children. When either dies or is incapable of acting, the natural guardianship of the person devolves upon the other.

(b) This section does not affect the power of a court of competent jurisdiction to appoint another person guardian of the children when it appears to the court that the welfare of the children requires it.

§ 21-102. Testamentary guardians of the person

When one parent is dead, the other, whether of full age or not, may, by last will and testament, appoint a guardian of the person to have the care, custody, and tuition of his infant child, other than a married female; and if the person so appointed refuses the trust, the Probate Court may appoint another person in his place.

§ 21-103. Appointment of guardians of the person by court; limitation of number of wards

(a) When an infant has neither a natural nor testamentary guardian, a guardian of the person may be appointed by the Probate Court in its own discretion or on the application of a next friend of the infant.

(b) Only trust companies may act as guardian of the person for more than five infants at one time, unless the infants are members of one family.

§ 21-104. Termination of guardianship of the person

A natural guardianship or an appointive guardianship of the person of an infant ceases, in the case of a male infant when he becomes 21 years of age, and in the case of a female infant when she becomes 18 years of age or marries.

§ 21-105. Appointment by deed or will for child inheriting from parent

(a) In case of the death of either parent from whom his or her minor children inherit or take by devise or bequest, the parent may by deed or last will and testament appoint a guardian of the property of the children, subject to the approval of the proper court of the District of Columbia.

(b) This section does not limit or affect the power of a court of competent jurisdiction to appoint another person guardian of the children when it appears to the court that the welfare of the children requires it.

§ 21-106. Guardian of estate

(a) Subject to sections 21-101 to 21-104, when land descends or is devised to an infant under 21 years of age, or the infant is entitled to a distributive share of the personal estate of an intestate, or to a legacy or bequest under a last will, or acquires real or personal property by gift or purchase, the Probate Court may appoint a guardian of the infant's estate; and if there is a guardian of the person of the infant the guardian of the estate so appointed may be the same or a different person.

(b) The appointment may be made at any time after the probate of the will or the grant of administration when the infant is entitled as a devisee, legatee, or next of kin.

(c) Only trust companies may act as guardian of the estate of more than five infants at one time, unless the infants are entitled to shares of the same estate.

§ 21-107. Preferences in appointment of guardian of estate

In appointing a guardian of the estate of an infant, unless said infant be over 14 years of age as hereinafter directed in section 21-108, the court shall give preference to—

(1) the father, if living; or

(2) if he is dead, then to the mother, if living; or

(3) if the infant is a married female, to her husband—

when in the judgment of the court the parent or husband is a suitable person to have the management of the infant's estate.

§ 21-108. Selection of guardian by infant

(a) When a guardian, either of the person or the estate, of an infant is appointed, the infant shall, if practicable, be brought before the court, and, if over 14 years of age, shall be entitled to select and nominate his or her guardian.

(b) When a guardian has been appointed before the infant has attained the age of 14 years, the infant, upon arriving at that age, may select a new guardian, notwithstanding the appointment before made.

(c) The court shall pass upon the character and competency of the guardian selected by the infant, and the guardian shall be:

(1) required to give bond as in other cases;

(2) subject to the control of the court; and

(3) under the same obligations and discharge the same duties—as if selected by the court.

(d) When, after a guardian of the estate has been appointed, the infant selects a new guardian upon arriving at the age of 14 years, and the new selection is approved by the court, and the person selected is duly appointed and qualified, the guardian previously appointed shall settle his final account and turn over his ward's estate to the newly appointed guardian.

§ 21-109. Husband as guardian of estate

When a female infant to whom a guardian of her estate has been appointed marries, she may select her husband as the guardian of her estate, with the approval of the court; and after he is duly appointed and qualified by giving bond, as is required in other cases, the powers of the guardian previously appointed shall cease, and he shall settle his final account and turn over his ward's estate to her husband, according to the order and directions of the court.

§ 21-110. Service on nonresident guardian; failure to give power of attorney

Before original or ancillary letters of guardianship are issued, the person designated, if a nonresident of the District of Columbia, shall file in the office of the Register of Wills an irrevocable power of attorney designating the Register of Wills and his successors in office as the person upon whom all notices and process issued by a competent court in the District may be served, with like effect as personal service, in relation to all suits, matters, causes, or things affecting or pertaining to the estate in which the letters are to be issued. The Register of Wills shall forthwith forward by registered or certified mail to the address of the guardian, which shall be stated in the power of attorney, all notices or process served upon the Register under this section.

If the person fails to file the power of attorney within 10 days after the entry of the order of appointment, the order shall stand revoked, and he shall forfeit all rights to the office.

§ 21-111. Ancillary guardian of estate of nonresident infant

When an infant residing outside the District of Columbia is entitled to property or to maintain an action in the District of Columbia, a general guardian or committee of his estate, appointed by a court of competent jurisdiction in the State or territory where the infant resides, or a person at the request of the guardian or committee, may petition the court for ancillary letters as guardian or committee. The petition shall be under oath, accompanied by certified copies of as much of the record and proceedings as shows the appointment of the guardian or committee and that he has given a sufficient bond to account for all property and money that may come into his hands by virtue of the authority conferred. The court may thereupon issue to the guardian or committee ancillary letters as such guardian or committee, without citation, or may cite such persons as it believes proper to show cause why the application should be refused; and the court shall require the security required by law in like cases from a resident guardian or committee.

§ 21-112. Suits by ancillary guardian

(a) Upon the granting of ancillary letters, the guardian may institute and prosecute to judgment any action in the courts of the District of Columbia, take possession of all property of his ward, and collect and receive all moneys belonging and due to him therein, give full receipt and acquittances for debts, and release all claims, liens, and mortgages belonging to the ward, on property in the District of Columbia, in the same manner as if his authority had been originally conferred by the United States District Court for the District of Columbia.

(b) The guardian shall give security for the costs which may accrue in an action brought by him, in the same manner as other nonresidents bringing suit in the courts of the District.

§ 21-113. Enjoining husband, parents, or testamentary guardian from interfering with minor's estate

On application of a friend of an infant entitled to real or personal estate, or in the exercise of its own discretion, the court may enjoin a parent or husband or testamentary guardian from interfering with the infant's estate without being appointed and giving bond as guardian of the estate.

§ 21-114. Bond from parents of child entitled to property

When an infant whose father or mother is living becomes entitled to property, the Probate Court may require the father or mother, as guardian, to give bond and security to account for the property, and on his or her failure or refusal so to do may appoint another person guardian, who shall give bond as in other cases.

§ 21-115. Bond of guardian of estate

A guardian appointed by the court, other than a corporation authorized to act as guardian, and a testamentary guardian, unless otherwise directed by the will making the appointment, before entering upon or taking possession of or interfering with the estate of the infant, shall execute a bond to the United States in such penalty and with such surety as the court approves, to be recorded and to be liable to be sued upon for the use of a person interested, with the condition that if he, as guardian, faithfully accounts to the court, as required by law, for the management of the property and estate of the infant under his care, and delivers up the property agreeably to the order of the court or the directions of law, and in all respects performs the duty of guardian according to law, then the obligation shall cease; it shall otherwise remain in full force.

§ 21-116. One bond for several wards

When a person is guardian to a number of persons entitled to shares of the same estate the court may accept one bond instead of separate bonds for each ward, and the bond shall be liable to be sued upon for the use of all or any of the wards as fully as separate bonds might be.

§ 21-117. Additional bond

The court may at any time require a guardian to give bond or additional bond, when the interests of the infant require it, and on his failure or refusal so to do, may revoke his appointment and appoint another guardian in his place, and require the estate of the infant to be forthwith delivered to the newly appointed guardian, and may direct the latter to bring suit upon the bond of his predecessor.

§ 21-118. Counter security; petition by surety

If a surety of a guardian by petition sets forth that he apprehends himself to be in danger of loss in consequence of his suretyship, and

prays the court to be relieved, the court, after summoning the guardian to answer the petition, may require him to give counter security to indemnify his original surety or to deliver his ward's estate into the hands of the surety or of another person. In either case, the court shall require sufficient security for the proper management and application of the estate to be given by the person into whose hands the estate is delivered, and make such other order as seems just.

§ 21-119. Allowances made before bond given

An allowance made to a guardian for the clothing, support, maintenance, education or other expenses incurred for the ward or his estate, before the guardian gives bond or is appointed, has the same effect in law as if made subsequently to the appointment of the guardian and his giving bond.

§ 21-120. Settlement of actions involving minor children; appointment of guardian of estate

(a) A person entitled to maintain or defend an action on behalf of a minor child, including an action relating to real estate, is competent to settle an action so brought and, upon settlement thereof or upon satisfaction of a judgment obtained therein, is competent to give a full acquittance and release of all liability in connection with the action, but such a settlement is not valid unless approved by a judge of the court in which the action is pending.

(b) A person may not receive money or other property on behalf of a minor in settlement of an action brought on behalf of or against the minor or in satisfaction of a judgment in the action, where, after deduction of fees, costs and all other expenses incident to the matter, the net value of the money and property due the minor exceeds $3,000, before he is appointed by a court of competent jurisdiction as guardian of the estate of the minor to receive the money or property, and qualifies as such.

Subchapter II—Property of Infants

§ 21-141. Possession of property

On the execution of his bond, a guardian is entitled to an order of the court directing the real and personal estate of the ward to be delivered into his possession, and all legacies and distributive shares to which the ward is entitled to be paid or delivered to him when they are properly payable or distributable according to law.

§ 21-142. Inventory

Within three months after the execution and approval of his bond, a guardian shall return to the court, under oath, an inventory of the real and personal estate of his ward and of the probable annual income thereof, and the court may direct the estate to be appraised and the annual income thereof to be ascertained by two competent persons, to be appointed by the court, who shall report their appraisement and finding under oath.

§ 21-143. Duties; accounts; maintenance and education; sales; compensation

A guardian shall manage the estate for the best interests of the ward, and once in each year, or oftener if required, he shall settle an account of his trust under oath. He shall account for all profit and increase of his ward's estate and the annual value thereof, and shall be allowed credit for taxes, repairs, improvements, expenses, and commissions, and he is not answerable for any loss or decrease sustained without his fault. The court shall determine the amounts to be expended annually in the maintenance and education of the infant, re-

gard being had to his future condition and prospects in life; and if it deems it advantageous to the ward, may allow the guardian to exceed the income of the estate and to make use of the principal and sell it or part thereof, under the court's order, as provided by this subchapter; but a guardian may not sell any property of his ward without an order of the court previously had therefor. The court shall allow a reasonable compensation for services rendered by the guardian not exceeding a commission of five per centum of the amounts collected, if and when disbursed.

§ 21-144. Property subject to liens

When an infant is entitled to real or personal estate in the District of Columbia which is liable to a mortgage, trust, or lien, or is in any way charged with the payment of money, the court may decree in the case as if the infant were of full age.

§ 21-145. Property subject to executory contract

When an infant is:

(1) entitled to real or personal estate in the District of Columbia bound by executory contract entered into by the person from whom the infant derived title; or

(2) claims a right or interest in property under such a contract—

the court may decree the execution of the contract or enter a just and proper decree, as if the parties were of full age.

§ 21-146. Contract for sale by adult in behalf of himself and infant

When a contract is made for the sale of real estate by persons interested therein jointly or in common with an infant, for and in behalf of all the persons so interested, which the court, upon a hearing and examination of the circumstances, considers to be for the interest and advantage both of the infant and of the other persons interested therein to be confirmed, the court may confirm the contract and order a deed to be executed according to it. Sales and deeds made in pursuance of the order are sufficient in law to transfer the estate and interest of the infant in the real estate.

§ 21-147. Sale of infant's principal for maintenance or education

When it appears, upon the verified petition of a guardian, or in case of his refusal to act, a next friend of an infant, and the appearance and answer of the infant by guardian to be appointed by the court, and proof by deposition of one or more disinterested witnesses, that a sale of the principal of the infant's estate, or of a part thereof, whether real or personal, is necessary for his maintenance or education, regard being had to his condition and prospects in life, the Probate Court may decree the sale on terms which to it seem proper.

§ 21-148. Sale or exchange of real estate; proceedings

When a guardian or, in case of his refusal to act, a next friend, deems that the interests of the ward will be promoted by a sale of his freehold or leasehold estate in lands, for the purpose of reinvesting the proceeds in other property or securities, or by an exchange of the property for other property, he may file a verified petition in the court, setting forth all the estate of the ward, real and personal, and all the facts which, in his opinion, tend to show whether the ward's interest will be promoted by the sale or exchange.

§ 21-149. Parties

The infant, together with those who would succeed to the estate if he were dead, shall be made parties defendant in the proceeding provided by section 21-148; and the court shall appoint a fit and dis-

interested person to be guardian ad litem for the infant, who shall answer the petition under oath. The infant also, if above the age of 14 years, shall answer the petition in proper person, under oath.

§ 21-150. Proof

Every fact material to determine the propriety of a sale or exchange shall be clearly proved, in a proceeding brought pursuant to section 21-148, by disinterested witnesses, whose testimony shall be taken in writing in the presence of the guardian ad litem or upon interrogatories agreed upon by him.

§ 21-151. Decree of sale; costs

When, in a proceeding brought pursuant to section 21-148, the court is satisfied from the evidence that the interests of the infant require a sale or exchange, as prayed, and the rights of others will not be violated thereby, the sale or exchange may be decreed, and the costs of the suit shall be paid out of the infant's estate; otherwise they shall be paid by the complainant.

§ 21-152. Terms of sale; lien

A sale pursuant to a decree issued pursuant to section 21-151 may be made upon such terms as to cash and credit as the court directs, and a lien shall be retained on the property sold for the purchase money.

§ 21-153. Exchanges; appointment of trustees

In decreeing an exchange of an infant's estate for other property, pursuant to section 21-151, the court need not require equality or sameness in the quantity or character of the estate or interest, and the court may appoint trustees to execute the deeds necessary to carry the exchange into effect.

§ 21-154. Ratification of sales by court

A sale of property of an infant is not effectual to pass title to the property sold until it is reported to and ratified by the court.

§ 21-155. Sale or exchange of particular estate or remainder; application of income

Where an infant is entitled to a particular estate, as for life or years, and another person is entitled to an estate in remainder or reversion or by way of executory devise in the same property, or the other person is entitled to the particular estate and the infant is entitled in remainder or reversion or executory devise, the court may decree a sale or exchange as provided by sections 21-148 to 21-153, having reference solely to the interests of the infant, if the other person so interested consents to the sale or exchange and execute the conveyances necessary to carry it into effect. The court shall direct the annual income from the fund or property acquired by the sale or exchange to be applied according to the interests of the respective parties.

§ 21-156. Lease of infant's estate

Where it appears to the court that it will be to the advantage of the infant that his real estate be demised, the court shall decree that it be demised for a term of years not to exceed the minority of the infant, yielding such rents and on such terms and conditions as the court directs. Where the infant is entitled to only a part of the estate, the decree demising the estate shall be made only if all the owners of the other interests assent.

§ 21-157. Mortgage of infant's estate

Where it appears to the court by proof that it would be for the advantage of the infant to raise money by mortgage for his maintenance or to improve his real property or to pay off charges, liens, or incumbrances thereon, the court may, on the application

of the guardian or of the infant by next friend, decree a conveyance of the property, by mortgage or deed of trust, to be executed by the guardian, on such terms as to the court seem expedient. This section also applies where the infant holds jointly or in common with other persons of full age or holds a portion of the estate, as a particular estate, for life or years or in remainder or reversion, if the other owners interested, all being of full age, consent to the decree and unite in the mortgage or deed of trust.

§ 21-158. Final account

On arrival of a ward at the age of 21 years the guardian shall exhibit a final account of his trust to the court, and shall, agreeably to the court's order, deliver up to the ward all the property of the ward in his hands and if he fails to do so, his bond may be sued upon in the name of the United States for the use of the party interested, and he may be attached.

Subchapter III—Indigent Boys

§ 21-181. Enlistment of indigent boys

The Probate Court may appoint guardians to indigent boys for the purpose of securing their enlistment in the naval or marine service of the United States, as provided by law, free of costs on account of the proceeding.

§ 21-182. Preparation of guardianship papers

The Register of Wills shall prepare papers in connection with appointment of guardians to enable indigent boys to enlist in the United States Navy as provided by law, without making a charge therefor.

District of Columbia Uniform Gifts to Minors Act.

CHAPTER 3—GIFTS TO MINORS—UNIFORM LAW

Sec.

21-301. Definitions.
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21-307. Successor custodians; eligibility; rights, powers, and duties; manner of resignation; removal.
21-308. Accounting by custodian or his legal representative.
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§ 21-301. Definitions

As used in this chapter:

(1) "adult" means a person who has attained the age of twenty-one years;

(2) "bank" means a person or association of persons carrying on the business of banking, whether incorporated or not, in the District of Columbia;

(3) "broker" means a person who is lawfully engaged in the business of effecting transactions in securities for the account of others; a bank which effects such transactions; and one who is lawfully engaged in buying and selling securities for his own account, through a broker or otherwise, as a part of a regular business;

(4) "court" means the United States District Court for the District of Columbia;

(5) "custodial property" means:

(A) securities, money, life insurance and annuity contracts under the supervision of the same custodian for the same minor as a consequence of gifts made to the minor in the manner prescribed by this chapter;

(B) the income from the custodial property; and

(C) the proceeds, immediate and remote, from the sale, exchange, conversion, investment, reinvestment, or other disposition of securities, money, life insurance and annuity contracts, and income;

(6) "custodian" means a person so designated in the manner prescribed by this chapter;

(7) "guardian of a minor" means the general guardian, guardian, tutor, or curator of the minor's property, estate, or person;

(8) "issuer" means a person who places or authorizes the placing of his name, other than as a transfer agent, on a security to evidence that it represents a share, participation or other interest in his property or in an enterprise or to evidence his duty or undertaking to perform an obligation evidenced by the security, or who becomes responsible for or in place of such a person;

(9) "legal representative" means the executor, administrator, general guardian, committee, conservator, tutor, or curator of a person's property or estate;

(10) "life insurance and annuity contracts" include only insurance and annuity contracts on the life of a minor or a member of the minor's family as defined by clauses (11) and (12);

(11) "member of a minor's family" includes a minor's parent, grandparent, brother, sister, uncle, and aunt, whether of the whole blood or the half blood, or by or through legal adoption;

(12) "minor" means a person who has not attained the age of 21 years;

(13) "security" means a note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in an oil, gas, or mining title or lease or in payments out of production under such a title or lease, collateral trust certificate transferable, share, voting trust certificate, or, in general, an interest or instrument commonly known as a security, or a certificate of interest of participation in, a temporary or interim certificate, receipt, or certificate of deposit for, or a warrant or right to subscribe to or purchase, any of the foregoing; "security" does not include a security of which the donor is the issuer; a "security" is in "registered form" when it specifies a person entitled to it or to the right it evidences and its transfer may be registered upon books maintained for that purpose by or on behalf of the issuer;

(14) "transfer agent" means one who acts as authenticating trustee, transfer agent, registrar, or other agent for an issuer in the registration of transfers of its securities or in the issue of new securities or in the cancellation of surrender securities;

(15) "trust company" means a bank authorized to exercise trust powers.

§ 21-302. Gifts of securities, money, life insurance, or annuity contracts to minors; manner of making

(a) An adult may, during his lifetime, make a gift of a security, money, life insurance or annuity contract to one who is a minor on the date of the gift, if the subject of the gift is a security:

(1) in registered form, by registering it in the name of the donor, another adult, or a trust company, followed, in substance, by the words: "as custodian for [name of minor] under the District of Columbia Uniform Gifts to Minors Act";

(2) not in registered form, by delivering it to an adult other than the donor or a trust company, accompanied by a statement of gift in the following form, in substance, signed by the donor and the designated custodian:

GIFT UNDER THE DISTRICT OF COLUMBIA UNIFORM GIFTS TO MINORS ACT

I, [name of donor], hereby deliver to [name of custodian] as custodian for [name of minor] under the District of Columbia Uniform Gifts to Minors Act, the following security(ies); [insert an appropriate description of the security or securities delivered sufficient to identify it or them].

[Signature of donor]

Dated: ----------

[Name of custodian] hereby acknowledges receipt of the above described security(ies) as custodian for the above minor under the above Act.

[Signature of custodian]

Dated: ----------

(3) Where the subject of the gift is a life insurance or annuity contract, the donor shall register the ownership of the contract in his own name or in the name of an adult member of the minor's family or in the name of a guardian of the minor, followed by the words "as custodian for [name of minor] under the District of Columbia Uniform Gifts to Minors Act", and the contract shall be delivered to the person in whose name it is thus registered as custodian. Where the contract is registered in the name of the donor as custodian, the registration of itself constitutes the delivery required by this section.

(4) Where the subject of the gift is money, by paying or delivering it to a broker or a bank for credit to an account in the name of the donor, another adult, or a bank with trust powers, followed, in substance, by the words: "as custodian for [name of minor] under the District of Columbia Uniform Gifts to Minors Act".

(b) A gift made in the manner prescribed by subsection (a) of this section may be made to only one minor.

(c) A donor who makes a gift to a minor as prescribed by subsection (a) of this section shall promptly do all things within his power to put the subject of the gift in the possession and control of the custodian, but neither the donor's failure to comply with this subsection, nor his designation of an ineligible person as custodian, nor renunciation by the person designated as custodian affects the consummation of the gift.

§ 21-303. Gift irrevocable; rights and duties of guardian or custodian

(a) A gift made as prescribed by this chapter is irrevocable and conveys to the minor indefeasibly vested legal title to the security, money, life insurance or annuity contract given, but a guardian of the minor does not have a right, power, duty, or authority with respect to the custodial property, except as provided by this chapter.

(b) By making a gift in the manner prescribed by this chapter, the donor incorporates in his gift all the provisions of this chapter and grants to the custodian, and to any issuer, transfer agent, bank, broker, insurance company, or third person dealing with a custodian, the respective powers, rights, and immunities provided by this chapter.

§ 21-304. Custodian to be one person; rights, powers, and duties of custodian

(a) Only one person may be the custodian. He shall collect, hold, manage, invest, and reinvest the custodial property.

(b) The custodian shall pay over to the minor for expenditure by him, or expend for the minor's benefit, so much of or all the custodial property as the custodian deems advisable for the support, maintenance, education, and benefit of the minor in the manner, at the times, and to the extent that the custodian in his discretion deems proper, with or without court order, with or without regard to the duty of himself or of any other person to support the minor or his ability to do so, and with or without regard to any other income or property of the minor which may be applicable or available for any such purpose.

(c) The court, on the petition of a parent or guardian of the minor, or of the minor if he has attained the age of 14 years, may order the custodian to pay over to the minor for expenditure by him or to expend so much of or all the custodial property as is necessary for the minor's support, maintenance, or education.

(d) To the extent that the custodial property is not so expended, the custodian shall:

(1) deliver or pay it over to the minor on his attaining the age of 21 years; or

(2) if the minor dies before attaining that age, thereupon deliver or pay it over to the estate of the minor.

(e) A custodian, notwithstanding statutes restricting investments by fiduciaries, may invest and reinvest the custodial property as would a prudent person of discretion and intelligence who is seeking a reasonable income and the preservation of capital, or he may, without liability to the minor or his estate, retain a security given to the minor in the manner prescribed by this chapter.

(f) A custodian may dispose of custodial property in the manner, at the times, for the prices, and upon the terms he deems advisable. He may vote in person or by general or limited proxy a security which is custodial property. He may consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution, or liquidation of an issuer, a security which is custodial property, and to the sale, lease, pledge, or mortgage of any property by or to the issuer, and to any other action by the issuer. He may execute and deliver all instruments in writing which he deems advisable to carry out any of his powers as custodian.

(g) A custodian shall register each security which is custodial property and in registered form in the name of the custodian, followed in substance, by the words: "as custodian for [name of minor] under the District of Columbia Uniform Gifts to Minors Act". He shall hold all money which is custodial property in an account with a broker or in a bank in the name of the custodian, followed, in substance, by the same words. He shall keep all other custodial property separate and distinct from his own property in a manner to identify it clearly as custodial property.

(h) A custodian shall keep records of all transactions with respect to the custodial property, and make them available for inspection at reasonable intervals by a parent or legal representative of the minor or by the minor, if he has attained the age of 14 years.

(i) A custodian has, as powers in trust, with respect to the custodial property, in addition to the rights and powers provided by this chapter, all the rights and powers which a guardian has with respect to property not held as custodial property.

(j) Where the subject of the gift is a life insurance or annuity contract, the custodian has all the incidents of ownership in the contract which he may hold as custodian to the same extent as if he were the owner thereof personally. The designated beneficiary of contract held by a custodian shall be the minor or, in the event of his death, the minor's estate.

§ 21-305. Compensation of custodian or guardian; bond; liability of custodian serving without compensation

(a) A custodian is entitled to reasonable compensation for his services and to reimbursement from the custodial property for his reasonable expenses incurred in the performance of his duties, but may act without compensation.

(b) Compensation for a guardian or custodian shall be according to:

(1) any direction of the donor when the gift is made, where it is not in excess of a statutory limitation of the District of Columbia for guardians or custodians;

(2) any statute of the District of Columbia applicable to custodians or guardians;

(3) any order of the court.

(c) A custodian may not be required to give a bond for the performance of his duties.

(d) A custodian not compensated for his services is not liable for losses to the custodial property unless they result from his bad faith, intentional wrongdoing, or gross negligence, or from his failure to maintain the standard of prudence in investing the custodial property prescribed by this chapter.

§ 21-306. Exemption of third persons from liability

An issuer, transfer agent, bank, broker, insurance company, or other person acting on the instructions of or otherwise dealing with a person purporting to act as a donor or in the capacity of a custodian is not responsible for determining whether the person designated by the purported donor or purporting to act as a custodian has been duly designated or whether a purchase, sale, or transfer to or by or other act of a person purporting to act in the capacity of custodian is in accordance with or authorized by this chapter, and is not obliged to inquire into the validity of propriety under this chapter of an instrument or instructions executed or given by a person purporting to act as a donor or in the capacity of a custodian, and is not bound to see to the application by any person purporting to act in the capacity of a custodian of any money or other property paid or delivered to him.

§ 21-307. Successor custodians; eligibility; rights, powers, and duties; manner of resignation; removal

(a) Only an adult, a guardian of the minor, or a trust company is eligible to become a successor custodian. A successor custodian has all the rights, powers, duties, and immunities of a custodian designated in the manner prescribed by this chapter.

(b) A custodian, other than the donor, may resign and designate his successor by:

(1) executing an instrument of resignation designating the successor custodian; and

(2) causing each security which is custodial property and in registered form and each life insurance or annuity contract to be registered in the name of the successor custodian followed, in sub-

stance, by the words: "as custodian for [name of minor] under the District of Columbia Uniform Gifts to Minors Act"; and

(3) delivering to the successor custodian the instrument of resignation, each security registered in the name of the successor custodian, each life insurance or annuity contract registered in the name of the successor custodian, and all other custodial property, together with any additional instruments required for the transfer thereof.

(c) A custodian, whether or not a donor, may petition the court for permission to resign and for the designation of a successor custodian.

(d) When the person designated as custodian is not eligible, renounces or dies before the minor attains the age of 21 years, the guardian of the minor shall be successor custodian. When the minor has no guardian, a donor, his legal representative, the legal representative of the custodian, an adult member of the minor's family, or the minor, if he has attained the age of 14 years, may petition the court for the designation of a successor custodian.

(e) A donor, the legal representative of a donor, an adult member of the minor's family, a guardian of the minor, or the minor if he has attained the age of 14 years, may petition the court that, for cause shown in the petition, the custodian be removed and a successor custodian be designated or, in the alternative, that the custodian be required to give bond for the performance of his duties.

(f) Upon the filing of a petition as provided by this section, the court shall grant an order, directed to those persons and returnable on such notice as the court requires, to show cause why the relief prayed for in the petition should not be granted and, in due course, grant such relief as the court finds to be in the best interests of the minor.

§ 21-308. Accounting by custodian or his legal representative

(a) A minor, if he has attained the age of 14 years, or the legal representative of a minor, an adult member of the minor's family, or a donor or his legal representative, may petition the court for an accounting by the custodian or his legal representative.

(b) The court, in a proceeding under this chapter or otherwise, may require or permit the custodian or his legal representative to account and, if the custodian is removed, shall so require and order delivery of all custodial property to the successor custodian and the execution of all instruments required for the transfer thereof.

§ 21-309. Construction of chapter

The method for making gifts to minors provided by this chapter is not exclusive.

§ 21-310. Short title

This chapter may be cited as the "District of Columbia Uniform Gifts to Minors Act".

§ 21-311. Preservation of prior rights and liabilities; construction with other laws

This chapter does not affect rights and liabilities under the Act approved August 3, 1956 (chapter 947, 70 Stat. 1028), existing on December 31, 1962; nor does it supersede or modify the Internal Revenue Code of 1954, as amended (Title 26, United States Code), or the District of Columbia Income and Franchise Tax Act of 1947, as amended (subchapter II of chapter 15 of Title 47 of this Code).

68A Stat. 3.

61 Stat. 328.
D.C. Code 47-1551 note.

CHAPTER 5—HOSPITALIZATION OF THE MENTALLY ILL

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Subchapter I—Definitions; Commission on Mental Health

§ 21-501. Definitions

As used in the chapter:

"administrator" means a person in charge of a public or private hospital or his delegate;

"chief of service" means the physician charged with overall responsibility for the professional program of care and treatment in the particular administrative unit of the hospital to which the patient has been admitted or such other member of the medical staff as the chief of service designates;

"Commission" means the Commission on Mental Health;

"court" means the United States District Court for the District of Columbia;

"mental illness" means a psychosis or other disease which substantially impairs the mental health of a person;

"mentally ill person" means a person who has a mental illness, but does not include a person committed to a private or public hospital in the District of Columbia by order of the court in a criminal proceeding;

"physician" means a person licensed under the laws of the District of Columbia to practice medicine, or a person who practices medicine in the employment of the Government of the United States or of the District of Columbia;

"private hospital" means a nongovernmental hospital or institution, or part thereof, in the District of Columbia, equipped and qualified to provide inpatient care and treatment for a person suffering from a physical or mental illness; and

"public hospital" means a hospital or institution, or part thereof, in the District of Columbia, owned and operated by the Government of the United States or of the District of Columbia, equipped and qualified to provide inpatient care and treatment for persons suffering from physical or mental illness.

§ 21-502. Commission on Mental Health; composition; appointment and terms of members; organization; chairman; salaries

(a) The Commission on Mental Health is continued. The United States District Court for the District of Columbia shall appoint the members of the Commission, and the Commission shall be composed of nine members. One member shall be a member of the bar of the court, who has engaged in active practice of law in the District of Columbia for a period of at least five years prior to his appointment. He shall be the Chairman of the Commission and act as the administrative head of the Commission and its staff. He shall preside at all hearings and direct all of the proceedings before the Commission. He shall devote his entire time to the work of the Commission. Eight members of the Commission shall be physicians who have been practicing medicine in the District of Columbia and who have had not less than five years' experience in the diagnosis and treatment of mental illnesses.

(b) Appointment of members of the Commission shall be for terms of four years each, which shall be staggered as provided by section 2 of the Act approved June 8, 1938 (chapter 326, 52 Stat. 625), under which, except for the original four-year term of the lawyer-member, staggered terms of one year for two members, two years for two members, three years for two members, and four years for two members, were made. 78 Stat. 953, 954.

(c) The physician-members of the Commission shall serve on a part-time basis and shall be rotated by assignment of the Chief

Judge of the court, so that at any one time the Commission shall consist of the Chairman and two physician-members. Physician-members of the Commission may practice their profession during their tenure of office, but may not participate in the disposition of the case of a person in which they have rendered professional service or advice.

(d) The court shall also appoint an alternate lawyer-member of the Commission who shall have the same qualifications as the lawyer-member of the Commission and who shall serve on a part-time basis and act as Chairman in the absence of the permanent Chairman.

(e) The salaries of the members of the Commission and its employees shall be fixed in accordance with the provisions of the Classification Act of 1949, as amended. The alternate Chairman shall be paid on a per diem basis at the same rate of compensation as fixed for the permanent Chairman.

63 Stat. 954. 5 USC 1071 note.

§ 21-503. Examinations and hearings; subpenas; witnesses; place

(a) The Commission shall examine alleged mentally ill persons, inquire into their affairs and the affairs of persons who may be legally liable for their support, and make reports and recommendations to the court.

(b) Except as otherwise provided by this chapter, the Commission may conduct its examinations and hearings either at the courthouse or elsewhere at its discretion. The court may issue subpenas at the request of the Commission returnable before the Commission, for the appearance of the alleged mentally ill person, witnesses, and persons who may be liable for his support. The Commission, or any of the members thereof, are competent and compellable witnesses at any trial, hearing, or other proceeding conducted pursuant to this chapter and the physician-patient privilege is not applicable.

Subchapter II—Voluntary and Nonprotesting Hospitalization

§ 21-511. Voluntary hospitalization

A person may apply to a public or private hospital in the District of Columbia for admission to the hospital as a voluntary patient for the purposes of observation, diagnosis, and care and treatment of a mental illness. Upon the request of such a person 18 years of age or over, or, in the case of a person under 18 years of age, of his spouse, parent, or legal guardian, the administrator of the public hospital to which application is made shall, if an examination by an admitting psychiatrist reveals the need for hospitalization, or the administrator of the private hospital to which application is made may, admit the person as a voluntary patient to the hospital for the purposes described by this section, in accordance with this chapter.

§ 21-512. Release of voluntary patients

(a) A voluntary patient admitted to a hospital pursuant to section 21-511 may, at any time, if he is 18 years of age or over, obtain his release from the hospital by filing a written request with the chief of service. Within a period of 48 hours after the receipt of the request, the chief of service shall release the patient making the request. A voluntary patient under 18 years of age, so admitted, may, at any time, obtain his release from the hospital in the same manner, upon the written request of his spouse, parent, or legal guardian.

(b) When the chief of service determines that a voluntary patient hospitalized pursuant to section 21-511 has recovered or that continued hospitalization of the patient is no longer beneficial to him, or advisable, the chief of service may release him from the hospital.

§ 21-513. Hospitalization of nonprotesting persons

A friend or relative of a person believed to be suffering from a mental illness may apply on behalf of that person to the admitting psychiatrist of a hospital by presenting the person, together with a referral from a practicing physician. For the purpose of examination and treatment, a private hospital may accept a person so presented and referred, and a public hospital shall accept a person so presented and referred, if, in the judgment of the admitting psychiatrist, the need for examination and treatment is indicated on the basis of the person's mental condition and the person signs a statement at the time of the admission stating that he does not object to hospitalization. The statement shall contain in simple, nontechnical language the fact that the person is to be hospitalized and a description of the right to release set out in section 21-514. The admitting psychiatrist may admit a person so presented, without referral from a practicing physician, if the need for an immediate admission is apparent to the admitting psychiatrist upon preliminary examination.

§ 21-514. Release of patients hospitalized under section 21-513

Unless proceedings for hospitalization under court order have been initiated under subchapter IV of this chapter, a hospital, upon the written request of a patient hospitalized pursuant to section 21-513, shall immediately release him.

Subchapter III—Emergency Hospitalization

§ 21-521. Detention of persons believed to be mentally ill; transportation and application to hospital

An accredited officer or agent of the Department of Public Health of the District of Columbia, or an officer authorized to make arrests in the District of Columbia, or the family physician of the person in question, who has reason to believe that a person is mentally ill and, because of the illness, is likely to injure himself or others if he is not immediately detained may, without a warrant, take the person into custody, transport him to a public or private hospital, and make application for his admission thereto for purposes of emergency observation and diagnosis. The application shall reveal the circumstances under which the person was taken into custody and the reasons therefor.

§ 21-522. Examination and admission to hospital; notice

Subject to the provisions of section 21-523, the administrator of a private hospital, may, and the administrator of a public hospital shall, admit and detain for purposes of emergency observation and diagnosis a person with respect to whom application is made under section 21-521, if the application is accompanied by a certificate of a psychiatrist on duty at the hospital stating that he has examined the person and is of the opinion that he has symptoms of a mental illness and, as a result thereof, is likely to injure himself or others unless he is immediately hospitalized. Not later than 24 hours after the admission pursuant to this subchapter of a person to a hospital, the administrator of the hospital shall serve notice of the admission, by registered mail, to the spouse, parent, or legal guardian of the person and to the Commission on Mental Health.

§ 21-523. Court order requirement for hospital detention beyond 48 hours; maximum period for observation

A person admitted to a hospital under section 21-522 may not be detained in the hospital for a period in excess of 48 hours from the time of his admission, unless the administrator of the hospital has, within that period, filed a written petition with the court for an order

authorizing the continued hospitalization of the person for emergency observation and diagnosis for a period not to exceed 7 days from the time the order is entered.

§ 21-524. Determination and order of court

(a) Within a period of 24 hours after the court receives a petition for hospitalization of a person for emergency observation and diagnosis, filed by the administrator of a hospital pursuant to section 21-523, the court shall:

(1) order the hospitalization; or

(2) order the person's immediate release.

(b) The court, in making its determination under this section, shall consider the written reports of the agent, officer, or physician who made the application under section 21-522, the certificate of the examining psychiatrist which accompanied it, and any other relevant information.

§ 21-525. Hearing by court

The court shall grant a hearing to a person whose continued hospitalization is ordered under section 21-524, if he requests the hearing. The hearing shall be held within 24 hours after receipt of the request.

§ 21-526. Extension of maximum periods of time

If the maximum period of time prescribed by section 21-512, 21-523, 21-524, or 21-525, during which an action or determination may or shall be taken, expires on a Saturday, Sunday, or legal holiday, the period may be extended to not later than noon of the next succeeding day which is not a Saturday, Sunday, or legal holiday.

§ 21-527. Examination and release of person; notice

The chief of service of a hospital in which a person is hospitalized under a court order entered pursuant to section 21-524 shall, within 48 hours after the order is entered, have the person examined by a physician. If the physician, after his examination, certifies that in his opinion the person is not mentally ill to the extent that he is likely to injure himself or others if not presently detained, the person shall be immediately released. The chief of service shall, within 48 hours after the examination has been completed, send a copy of the results thereof by certified or registered mail to the spouse, parents, attorney, legal guardian, or nearest known adult relative of the person examined.

§ 21-528. Detention of person pending judicial proceedings

Notwithstanding any other provision of this subchapter, the administrator of a hospital in which a person is hospitalized under this subchapter may, if judicial proceedings for his hospitalization have been commenced under subchapter IV of this chapter, detain the person in the hospital during the course of the judicial proceedings.

Subchapter IV—Hospitalization Under Court Order

§ 21-541. Petition to Commission; copy to person affected

(a) Proceedings for the judicial hospitalization of a person in the District of Columbia may be commenced by the filing of a petition with the Commission on Mental Health by his spouse, parent, or legal guardian, by a physician, by a duly accredited officer or agent of the Department of Public Health, or by an officer authorized to make arrests in the District of Columbia. The petition shall be accompanied by:

(1) a certificate of a physician stating that he has examined the person and is of the opinion that the person is mentally ill, and because of the illness is likely to injure himself or other persons if allowed to remain at liberty; or

(2) a sworn written statement by the petitioner that:

(A) the petitioner has good reason to believe that the person is mentally ill, and, because of the illness, is likely to injure himself or other persons if allowed to remain at liberty; and

(B) the person has refused to submit to examination by a physician.

(b) Within three days after the Commission receives a petition filed under subsection (a) of this section, the Commission shall send a copy of the petition by registered mail to the person with respect to whom it was filed.

§ 21-542. Hearing by Commission; presence and rights of person affected; hearing regarding liability

(a) The Commission shall promptly examine a person alleged to be mentally ill after the filing of a petition under section 21-541 and shall thereafter promptly hold a hearing on the issue of his mental illness. The hearing shall be conducted in as informal a manner as may be consistent with orderly procedure and in a physical setting not likely to have a harmful effect on the mental health of the person named in such petition. In conducting the hearing, the Commission shall hear testimony of any person whose testimony may be relevant and shall receive all relevant evidence which may be offered. A person with respect to whom a hearing is held under this section may, in his discretion, be present at the hearing, to testify, and to present and cross-examine witnesses.

(b) The Commission shall also hold a hearing in order to determine liability under the provisions of section 21-586 for the expenses of hospitalization of the alleged mentally ill person, if it is determined that he is mentally ill and should be hospitalized as provided under this chapter. The hearing may be conducted separately from the hearing on the issue of mental illness. If conducted separately, it may be conducted by the Chairman of the Commission alone.

§ 21-543. Representation by counsel; compensation; recess

The alleged mentally ill person shall be represented by counsel in any proceeding before the Commission or the court, and if he fails or refuses to obtain counsel, the court shall appoint counsel to represent him. The counsel so appointed shall be awarded compensation by the court for his services in an amount determined by it to be fair and reasonable. The compensation shall be charged against the estate of the individual for whom the counsel was appointed, or against any unobligated funds of the Commission, as the court in its discretion directs. The Commission or the court, as the case may be, shall, at the request of the counsel so appointed, grant a recess in the proceeding to give the counsel an opportunity to prepare his case. A recess may not be granted for more than five days.

§ 21-544. Determinations of Commission; report to court; copy to person affected; right to jury trial

If the Commission finds, after a hearing under section 21-542, that the person with respect to whom the hearing was held is not mentally ill or if mentally ill, is not mentally ill to the extent that he is likely to injure himself or other persons if allowed to remain at liberty, the Commission shall immediately order his release and notify the court of that fact in writing. If the Commission finds, after the hearing, that the person with respect to whom the hearing was held is mentally ill, and because of the illness is likely to injure himself or other persons if allowed to remain at liberty, the Commission shall promptly report that fact, in writing, to the United States District Court for the District of Columbia. The report shall contain the Commission's find-

ings of fact, conclusions of law, and recommendations. A copy of the report of the Commission shall be served personally on the alleged mentally ill person and his attorney. An alleged mentally ill person with respect to whom the report is made has the right to demand a jury trial, and the Commission, orally and in writing, shall advise him of this right.

§ 21-545. Hearing and determination by court or jury; order; witnesses; jurors

(a) Upon the receipt by the court of a report referred to in section 21-544, the court shall promptly set the matter for hearing and shall cause a written notice of the time and place of the final hearing to be served personally upon the person with respect to whom the report was made and his attorney, together with notice that he has five days following the date on which he is so served within which to demand a jury trial. The demand may be made by the person or by anyone in his behalf. If a jury trial is demanded within the five-day period, it shall be accorded by the court with all reasonable speed. If a timely demand for jury trial is not made, the court shall determine the person's mental condition on the basis of the report of the Commission, or on such further evidence in addition to the report as the court requires.

(b) If the court or jury, as the case may be, finds that the person is not mentally ill, the court shall dismiss the petition and order his release. If the court or jury finds that the person is mentally ill and, because of that illness, is likely to injure himself or other persons if allowed to remain at liberty, the court may order his hospitalization for an indeterminate period, or order any other alternative course of treatment which the court believes will be in the best interests of the person or of the public. The Commission, or a member thereof, shall be competent and compellable witnesses at a hearing or jury trial held pursuant to this chapter. The jury to be used in any case where a jury trial is demanded under this chapter shall be impaneled, upon order of the court, from the jurors in attendance upon other branches of the court, who shall perform the services in addition to and as part of their duties in the court.

§ 21-546. Periodic requests for examination of hospitalized patient; procedure for examination and detention or release; petition to court

(a) A patient hospitalized pursuant to a court order obtained under section 21-545, or his attorney, legal guardian, spouse, parent, or other nearest adult relative, may, upon the expiration of 90 days following the order and not more frequently than every 6 months thereafter, request, in writing, the chief of service of the hospital in which the patient is hospitalized, to have a current examination of his mental condition made by one or more physicians. If the request is timely it shall be granted. The patient may, at his own expense, have a duly qualified physician participate in the examination. In the case of such a patient who is indigent, the Department of Public Health shall, upon the written request of the patient, assist him in obtaining a duly qualified physician to participate in the examination in the patient's behalf. A physician so obtained by an indigent patient shall be compensated for his services out of any unobligated funds of Department of Public Health in an amount determined by it to be fair and reasonable. If the chief of service, after considering the reports of the physicians conducting the examination, determines that the patient is no longer mentally ill to the extent that he is likely to injure himself or other persons if not hospitalized, the chief of service shall order the immediate release of the patient. However, if the chief

of service, after considering the reports, determines that the patient continues to be mentally ill to the extent that he is likely to injure himself or other persons if not hospitalized, but one or more of the physicians participating in the examination reports that the patient is not mentally ill to that extent, the patient may petition the court for an order directing his release. The petition shall be accompanied by the reports of the physicians who conducted the examination of the patient.

§ 21-547. Judicial determination of petition filed under section 21-546; order; physicians as witnesses

In considering a petition filed under section 21-546, the court shall consider the testimony of the physicians who participated in the examination of the patient, and the reports of the physicians accompanying the petition. After considering the testimony and reports, the court shall either (1) reject the petition and order the continued hospitalization of the patient, or (2) order the chief of service to immediately release the patient. A physician participating in the examination shall be a competent and compellable witness at any trial or hearing held pursuant to this chapter.

§ 21-548. Periodic examinations by hospital authorities; release

The chief of service of a public or private hospital shall, as often as practicable, but not less often than every six months, examine or cause to be examined each patient admitted to a hospital pursuant to this subchapter and if he determines on the basis of the examination that the conditions which justified the involuntary hospitalization of the patient no longer exist, the chief of service shall immediately release the patient.

§ 21-549. Preservation of other rights to release

Sections 21-546 to 21-548 do not prohibit a person from exercising a right presently available to him for obtaining release from confinement, including the right to petition for a writ of habeas corpus.

§ 21-550. Surety

The court in its discretion may require a petitioner under this subchapter to file an undertaking with surety to be approved by the court in such amount as the court deems proper, conditioned to save harmless the respondent by reason of costs incurred, including attorney's fees, if any, and damages suffered by the respondent, as a result of any action under this subchapter.

§ 21-551. Nonresidents

(a) If a person ordered committed to a public hospital by the court pursuant to section 21-545 is found by the Commission, subject to a review by the court, not to be a resident of the District of Columbia, and to be a resident of another place, he shall be transferred to the State of his residence if an appropriate institution of that State is willing to accept him. If the person is an indigent, the expense of transferring him, including the traveling expenses of necessary attendants, shall be borne by the District of Columbia.

"Resident of the District of Columbia."

(b) For the purposes of this section, "resident of the District of Columbia" means a person who has maintained his principal place of abode in the District of Columbia for more than one year immediately prior to the filing of the petition referred to in subsection (a) of section 21-541.

Subchapter V—Right to Communication; Exercise of Other Rights

§ 21-561. Mail privileges; censored mail; return to sender; visiting hours

(a) A person hospitalized in a public or private hospital pursuant to this chapter may:

(1) communicate by sealed mail or otherwise with an individual or official agency inside or outside the hospital; and

(2) receive uncensored mail from his attorney or personal physician.

(b) All incoming mail or communications other than mail or communications referred to in subsection (a) of this section may be read before being delivered to the patient, if the chief of service believes the action is necessary for the medical welfare of the patient who is the intended recipient. Mail or other communication which is not delivered to the patient for whom it is intended shall be immediately returned to the sender.

(c) This section does not prohibit the administrator from making reasonable rules regarding visitation hours and the use of telephone and telegraph facilities.

§ 21-562. Medical and psychiatric care and treatment; records

A person hospitalized in a public hospital for a mental illness shall, during his hospitalization, be entitled to medical and psychiatric care and treatment. The administrator of each public hospital shall keep records detailing all medical and psychiatric care and treatment received by a person hospitalized for a mental illness and the records shall be made available, upon that person's written authorization, to his attorney or personal physician. The records shall be preserved by the administrator until the person has been discharged from the hospital.

§ 21-563. Use of mechanical restraints; record of use

A mechanical restraint may not be applied to a patient hospitalized in a public or private hospital for a mental illness unless the use of restraint is prescribed by a physician. If so prescribed, the restraint shall be removed whenever the condition justifying its use no longer exists. A use of a mechanical restraint, together with the reasons therefor, shall be made a part of the medical record of the patient.

§ 21-564. Exercise of property and other rights; notice of inability; persons hospitalized prior to September 15, 1964

(a) A patient hospitalized pursuant to this chapter may not, by reason of the hospitalization, be denied the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, vote, and hold a driver's license, unless the patient has been adjudicated incompetent by a court of competent jurisdiction and has not been restored to legal capacity. If the chief of service of the public or private hospital in which the patient is hospitalized is of the opinion that the patient is unable to exercise any of the rights referred to in this section, the chief of service shall immediately notify the patient and the patient's attorney, legal guardian, spouse, parents, or other nearest known adult relative, the United States District Court for the District of Columbia, the Commission on Mental Health, and the Board of Commissioners of the District of Columbia of that fact.

(b) A person in the District of Columbia who, by reason of a judicial decree ordering his hospitalization entered prior to September 15, 1964, is considered to be mentally incompetent and is denied the right to dispose of property, execute instruments, make purchases, enter into

contractual relationships, vote, or hold a driver's license solely by reason of the decree, shall, upon the expiration of the one-year period immediately following September 15, 1964, be deemed to have been restored to legal capacity unless, within the one-year period, affirmative action is commenced to have the person adjudicated mentally incompetent by a court of competent jurisdiction: *Provided, however,* That in those cases in which a committee has heretofore been appointed and the committeeship has not been terminated by court action, such committee shall continue to act under the supervision of the United States District Court for the District of Columbia under its equity powers.

§ 21-565. Statement of release and adjudication procedures and of other rights

Upon the admission of a person to a hospital under a provision of this chapter, the administrator shall deliver to him, and to his spouse, parents, or other nearest known adult relative, a written statement outlining in simple, nontechnical language all release procedures provided by this chapter, setting out all rights accorded to patients by this chapter, and describing procedures provided by law for adjudication of incompetency and appointment of trustees or committees for the hospitalized person.

Subchapter VI—Miscellaneous Provisions

§ 21-581. Proceedings instituted by Commissioners of the District of Columbia

(a) Proceedings instituted by the Commissioners of the District of Columbia to determine the mental condition of an alleged indigent mentally ill person or a person alleged to be mentally ill, with homicidal or otherwise dangerous tendencies, shall be according to the provisions of subchapter IV of this chapter.

(b) The jury in proceedings instituted upon the petition of the Commissioners of the District of Columbia shall be impaneled by the United States marshal for the District, upon order of the court, from the jurors in attendance upon the District Court, who shall perform the services in addition to and as part of their duties in the District Court. When jurors are not in attendance upon the District Court the court may direct the marshal to impanel the jurors in attendance upon the Court of General Sessions, who shall perform the duties in addition to and as part of their duties in the Court of General Sessions, or the court may direct a special jury to be summoned for the inquisition.

§ 21-582. Petitions, applications, or certificates of physicians

(a) A petition, application, or certificate authorized under section 21-521 and subsection (a) of section 21-541 may not be considered if made by a physician who is related by blood or marriage to the alleged mentally ill person, or who is financially interested in the hospital in which the alleged mentally ill person is to be detained, or, except in the case of physicians employed by the United States or the District of Columbia, who are professionally or officially connected with the hospital.

(b) A petition, application, or certificate of a physician may not be considered unless it is based on personal observation and examination of the alleged mentally ill person made by the physician not more than 72 hours prior to the making of the petition, application, or certificate. The certificate shall set forth in detail the facts and reasons on which the physician based his opinions and conclusions.

§ 21-583. Physicians and psychiatrists as witnesses

A physician or psychiatrist making application or conducting an examination under this chapter is a competent and compellable witness at any trial, hearing or other proceeding conducted pursuant to this chapter and the physician-patient privilege is not applicable.

§ 21-584. Witness fees

Witnesses subpenaed under the provisions of this chapter shall be paid the same fees and mileage as are paid to witnesses in the courts of the United States.

§ 21-585. Confinement in jail prohibited

A person apprehended, detained, or hospitalized under any provision of this chapter may not be confined in jail or in a penal or correctional institution.

§ 21-586. Financial responsibility for care of hospitalized persons; judicial enforcement

(a) The father, mother, husband, wife, and adult children of a mentally ill person, if of sufficient ability, and the estate of the mentally ill person, if the estate is sufficient for the purpose, shall pay the cost to the District of Columbia of the mentally ill person's maintenance, including treatment, in a hospital in which the person is hospitalized under this chapter. The Commission on Mental Health shall examine, under oath, the father, mother, husband, wife, and adult children of an alleged mentally ill person whenever those relatives live within the District of Columbia, and ascertain their ability or the ability of the estate to maintain or contribute toward the maintenance of the mentally ill person. The relatives or estate may not be required to pay more than the actual cost to the District of Columbia of maintenance of the alleged mentally ill person.

(b) If a person made liable by subsection (a) of this section for the maintenance of a mentally ill person fails so to provide or pay for the maintenance, the court shall issue to him a citation to show cause why he should not be adjudged to pay a portion or all of the expenses of maintenance of the patient. The citation shall be served at least 10 days before the hearing thereon. If, upon the hearing, it appears to the court that the mentally ill person has not sufficient estate out of which his maintenance may properly be fully met and that he has relatives of the degree referred to in subsection (a) of this section who are parties to the proceedings, and who are able to contribute thereto, the court may make an order requiring payment by the relatives of such sums as it finds that they are reasonably able to pay and as may be necessary to provide for the maintenance and treatment of the mentally ill person. The order shall require the payment of the sums to the District of Columbia treasurer annually, semiannually, quarterly, or monthly as the court directs. The treasurer shall collect the sums due under this section, and turn them into the Treasury of the United States to the credit of the District of Columbia. The order may be enforced against any property of the mentally ill person or of the person liable or undertaking to maintain him in the same way as if it were an order for temporary alimony in a divorce case.

§ 21-587. Veterans' Administration and military hospital facilities

This chapter does not require the admission of a person to a Veterans' Administration or military hospital facility unless the person is otherwise eligible for care and treatment in the facility.

§ 21-588. Forms

All applications and certificates for the hospitalization of a person in the District of Columbia under this chapter shall be made on forms approved by the Commission on Mental Health and furnished by it.

§ 21-589. Persons hospitalized prior to September 15, 1964

(a) Subject to subsection (b) of this section, the provisions of sections 21-546 to 21-551, subchapter V of this chapter and sections 21-585 and 21-588 apply to a person, who, on or after January 1, 1966, is a patient in a hospital in the District of Columbia by reason of having been declared insane or of unsound mind pursuant to a court order entered in a noncriminal proceeding prior to September 15, 1964.

(b) A request made by a patient referred to in subsection (a) of this section for an examination authorized by section 21-546 may be made on April 15, 1966, by the patient, or his attorney, legal guardian, spouse, parent, or other nearest adult relative, and not more frequently than every six months thereafter.

§ 21-590. Discharge as cured; restoration to legal status

When a person adjudged to be of unsound mind in the District of Columbia who is committed to Saint Elizabeths Hospital, or any other institution, recovers his reason, and is discharged from the institution as cured, the Superintendent of Saint Elizabeths Hospital, or the official in charge of the institution where he has been under treatment and has been so discharged, shall immediately file with the clerk of the United States District Court for the District of Columbia his sworn statement that, in his opinion, the person was not of unsound mind at the time of his discharge. The statement is sufficient to authorize the court to order the person restored to his former legal status as a person of sound mind.

§ 21-591. Offenses and penalties

Whoever:

(1) without probable cause for believing a person to be mentally ill:

(A) causes or conspires with or assists another person to cause the hospitalization, under this chapter, of the person first referred to; or

(B) executes a petition, application, or certificate pursuant to this chapter, by which he secures or attempts to secure the apprehension, hospitalization, detention, or restraint of the person first referred to;

or

(2) causes or conspires with or assists another person to cause the denial to a person of a right accorded to him by this chapter; or

(3) being a physician or psychiatrist, knowingly makes a false certificate or application pursuant to this chapter as to the mental condition of a person—

shall be fined not more than $5,000 or imprisoned not more than three years, or both.

CHAPTER 7—PROPERTY OF MENTALLY ILL PERSONS

Sec.

21-701. Definition.
21-702. Property subject to liens.
21-703. Property subject to executory contract.
21-704. Contract for sale by adult in behalf of himself and mentally ill person.
21-705. Ancillary guardian of nonresident mentally ill person.
21-706. Suits by ancillary guardian.

§ 21-701. Definition

As used in this chapter, "mentally ill person" has the same meaning as that given to the term by section 21-501.

§ 21-702. Property subject to liens

Where a mentally ill person is entitled to real or personal estate in the District of Columbia which is liable to a mortgage, trust, or lien, or is in any way charged with the payment of money, the court may decree in the case as if the mentally ill person were of sound mind.

§ 21-703. Property subject to executory contract

Where a mentally ill person:

(1) is entitled to real or personal estate in the District of Columbia bound by an executory contract entered into by the person from whom he derived title; or

(2) claims a right or interest in property under such a contract—

the court in either case may decree the execution of the contract or enter a proper decree, as if the parties were of sound mind.

§ 21-704. Contract for sale by adult in behalf of himself and mentally ill person

When, upon a hearing and an examination of the circumstances, the court considers a contract for the sale of real estate by persons interested therein jointly or in common with a mentally ill person, to be for the interest and advantage both of the mentally ill person, and of the other persons interested therein, the court may confirm the contract and order a deed to be executed according to it. Sales and deeds made in pursuance of the order are sufficient in law to transfer the estate and interest of the mentally ill person in the real estate.

§ 21-705. Ancillary guardian of nonresident mentally ill person

When a mentally ill person residing outside the District of Columbia is entitled to property or to maintain an action in the District of Columbia, a general guardian or committee of his estate, appointed by a court of competent jurisdiction in the State or territory where the mentally ill person resides, or a person at the request of the guardian or committee, may petition the court for ancillary letters as guardian or committee. The petition shall be under oath, accompanied by certified copies of as much of the record and proceedings as shows the appointment of the guardian or committee and that he has given a sufficient bond to account for all property and money that may come into his hands by virtue of the authority conferred. The court may thereupon issue to the guardian or committee ancillary letters as such guardian or committee, without citation, or may cite such persons as it believes proper to show cause why the application should be refused; and the court shall require the security required by law in like cases from a resident guardian or committee.

§ 21-706. Suits by ancillary guardian

(a) Upon the granting of ancillary letters, the guardian may institute and prosecute to judgment any action in the courts of the District of Columbia, take possession of all property of his ward, and collect and receive all moneys belonging and due to him therein, give full receipt and acquittances for debts, and release all claims, liens, and mortgages belonging to the ward, on property in the District of Columbia, in the same manner as if his authority had been originally conferred by the United States District Court for the District of Columbia.

(b) The guardian shall give security for the costs which may accrue in an action brought by him, in the same manner as other nonresidents bringing suit in the courts of the District.

CHAPTER 9—MENTALLY ILL PERSONS FOUND IN CERTAIN FEDERAL RESERVATIONS

Sec.
21-901. Definition.
21-902. Commitments by special commissioners of certain district courts.
21-903. Apprehension by certain officials of persons believed to be mentally ill; proceedings.
21-904. Admission upon written application; right of release.
21-905. Superintendent to receive persons committed or apprehended under sections 21-902 and 21-903.
21-906. Examinations; adjudications; laws applicable; expense of care and treatment.
21-907. Transfer of military personnel.
21-908. Care in a Veterans' Administration facility.
21-909. Payment of expenses of transfers.

§ 21-901. Definition

As used in this chapter, "mentally ill person" has the same meaning as that given to the term by section 21-501.

§ 21-902. Commitments by special commissioners of certain district courts

(a) A United States commissioner specially designated by the United States District Court for the Eastern District of Virginia or by the United States District Court for the District of Maryland may commit to Saint Elizabeths Hospital, for observation and diagnosis, a person found in a place over which the United States has exclusive or concurrent jurisdiction in Arlington County, Fairfax County, Loudoun County or the city of Alexandria, in the State of Virginia, or in Montgomery County or Prince Georges County in the State of Maryland, who is alleged, and is believed by the commissioner, to be a mentally ill person. A United States commissioner specially designated by the United States District Court for the District of Columbia has like jurisdiction and authority in the case of any person temporarily detained in Saint Elizabeths Hospital, pursuant to section 21-903.

(b) A commitment provided for by subsection (a) of this section shall be for not more than 30 days and may be made only after a hearing before the commissioner upon:

(1) the testimony under oath of at least two witnesses as to their belief that the person is a mentally ill person; and

(2) the testimony under oath or affidavit of two physicians, at least one of whom is skilled in the treatment and diagnosis of nervous and mental disorders, that they have examined the alleged mentally ill person and believe him to be a mentally ill person and not fit to remain at liberty and go unrestrained, and that he should be in custody in a hospital for the treatment of mental or nervous disorders for his own safety and welfare and for the preservation of the peace and good order.

(c) The head of the agency of the United States in control of the place where a person is apprehended for a hearing pursuant to this section shall forthwith notify the spouse or a near relative or friend of the person so apprehended whose address is known to him or can by

reasonable inquiry be ascertained by him. In the case of a person described by section 21-907, the agency head shall notify the head of the department having jurisdiction over the service to which the person belongs.

(d) The agency of the United States in control of the place where a person is apprehended for a hearing pursuant to this section may employ physicians for the purpose and pay compensation for their services and pay expenses of witnesses in the proceedings out of funds available therefor. Physicians who are officers or employees of the United States or who are members of the armed forces of the United States may render the services without additional compensation.

§ 21-903. Apprehension by certain officials of persons believed to be mentally ill; proceedings

(a) An officer or employee of the United States authorized to make arrests, and a guard or watchman employed by the United States, may apprehend and detain a person whom he believes to be a mentally ill person and found in a place specified by section 21-902, and, except as provided by section 21-904, bring the person for a hearing before a United States commissioner for the district where the person was apprehended, and designated as provided by section 21-902. When an immediate hearing before a commissioner cannot be had, the officer or employee may take the person to Saint Elizabeths Hospital. The Superintendent of Saint Elizabeths Hospital may detain the person pending a hearing before a United States commissioner for the District of Columbia, designated as provided by section 21-902, for a period not exceeding 72 hours.

(b) The United States commissioner specified by subsection (a) of this section shall hold a hearing as promptly as practicable after the apprehension of a person pursuant to that subsection and in any event not later than 72 hours thereafter. The hearing shall be conducted at Saint Elizabeths Hospital if the Superintendent of the hospital certifies that in his opinion it would be prejudicial to the health of the person or unsafe to produce him at a hearing elsewhere. If, after a hearing at a place other than Saint Elizabeths Hospital, the commissioner commits a person to Saint Elizabeths Hospital, an officer, employee, guard, or watchman specified by subsection (a) of this section may transport the person to Saint Elizabeths Hospital in accordance with the order of the commissioner.

§ 21-904. Admission upon written application; right of release

A person in a place specified by section 21-902 may, upon his written application, be admitted for observation and diagnosis to Saint Elizabeths Hospital in the discretion of the Superintendent of the hospital for a period not exceeding 30 days. If, after admission to Saint Elizabeths Hospital, he expresses a desire for release from the hospital, he shall be released within 72 hours thereafter, unless proceedings for his adjudication as a mentally ill person have been instituted as provided for by section 21-906.

§ 21-905. Superintendent to receive persons committed or apprehended under sections 21-902 and 21-903

The Superintendent of Saint Elizabeths Hospital shall receive for observation and diagnosis a person apprehended or committed as

provided by sections 21-902 and 21-903 for the periods therein prescribed, unless the person is sooner discharged or returned to his home or to the State of his residence.

§ 21-906. Examinations; adjudications; laws applicable; expense of care and treatment

(a) The Superintendent of Saint Elizabeths Hospital shall promptly examine a person committed as provided by sections 21-902 and 21-903, and, if not found to be mentally ill, shall forthwith discharge him, or, if found to be mentally ill, shall return him to the State of his residence or to his relatives, if practicable.

(b) Proceedings for the adjudication of a person referred to by subsection (a) of this section, or of a person admitted to the hospital pursuant to section 21-904, as a mentally ill person, and for the appointment of a committee of his person or property, may be instituted in the United States District Court for the District of Columbia by the Secretary of Health, Education, and Welfare or by a party interested. The laws of the District of Columbia apply to the proceedings. This chapter does not impose upon the District of Columbia the expense of care and treatment of a person apprehended, detained, or committed under this chapter, unless the person is a resident of the District of Columbia as defined by subsection (b) of section 21-551.

§ 21-907. Transfer of military personnel

A person belonging to the armed forces arrested, apprehended, detained, or committed pursuant to this chapter shall, upon the request of the head of the department having jurisdiction over the service to which he belongs, be transferred forthwith to the custody of his service.

§ 21-908. Care in a Veterans' Administration facility

(a) If a person adjudicated to be a mentally ill person under this chapter is entitled to care and treatment in a Veterans' Administration facility, the United States District Court for the District of Columbia may commit him to the custody of the Administrator of Veterans' Affairs for placement in an available facility, or the Superintendent of Saint Elizabeths Hospital may transfer him to such a facility.

(b) This chapter does not limit, restrict, or deprive the courts of a State or the District of Columbia of jurisdiction to commit to the Veterans' Administration a mentally ill person entitled to care and treatment by the Veterans' Administration in accordance with the laws of the State or the District of Columbia.

§ 21-909. Payment of expenses of transfers

The Superintendent of Saint Elizabeths Hospital may arrange for and pay the expenses of the transfer of a person committed to his custody pursuant to this chapter or admitted to the hospital pursuant to section 21-904 to his relatives or to a hospital in the State of his residence, and, in connection with the transfer, may pay the transportation and expenses of attendants necessary to insure safe travel.

CHAPTER 11—COMMITMENT AND MAINTENANCE OF FEEBLE-MINDED PERSONS

Sec.
21-1101. Definitions.
21-1102. Persons received in District Training School; age limit.
21-1103. Petition to District Court as to feeble-mindedness; contents; verification; notice; process.
21-1104. Summons; contents; answer not required; return day; service.
21-1105. Appointment and qualifications of physicians; examination; certificate.
21-1106. Warrant to take into custody; detention or temporary guardianship; place of detention.
21-1107. Hearing; continuances; character of proofs; jury trial.
21-1108. Dismissal and discharge, or placement in District Training School; controlling considerations.
21-1109. Private and public patients; bond for support and maintenance; sufficiency and justification of sureties.
21-1110. Liability of estate of public patient for maintenance.
21-1111. Proceedings to charge relatives legally responsible for maintenance of public patient; collection of maintenance payments; enforcement of order; liability of decedent's estate.
21-1112. Public patients may become private patients by filing bond and paying advance.
21-1113. Restriction on discharge; petition for discharge; causes for discharge; superintendent to be notified; notice of variation of order; denial of one petition not a bar to another.
21-1114. Proceeding when child brought before juvenile court appears feeble-minded.
21-1115. Inquiry under this chapter if person convicted of offense.
21-1116. Transfer to Saint Elizabeths Hospital when person becomes insane.
21-1117. Separate docket of feeble-minded cases; reports of commissions.
21-1118. Transfer of feeble-minded from National Training Schools for Boys or Girls.
21-1119. Removal from school of nonresidents of the District of Columbia.
21-1120. Paroles; conditions; expense; discretion of superintendent; violation; return.
21-1121. Citation, order, or process on inmates to be served only by superintendent.
21-1122. Approval of inmates' contracts, etc., by court.
21-1123. Offenses and penalties.

§ 21-1101. Definitions

As used in this chapter:

"District Training School" means the institution established pursuant to section 32-601, and designated the "District Training School" by section 32-602, or any successor to that institution;

"feeble-minded person" means a person afflicted with mental defectiveness from birth or from an early age, so pronounced that he is incapable of managing himself and his affairs, or being taught to do so, and who requires supervision, control, and care for his own welfare, or for the welfare of others, or for the welfare of the community, and is not mentally ill to such an extent as to require his commitment to Saint Elizabeths Hospital, as provided by chapter 5 of this title or other laws with respect to the commitment and custody of mentally ill persons.

§ 21-1102. Persons received in District Training School; age limit

Subject to such regulations as the Department of Public Welfare adopts, and pursuant to this chapter and chapter 6 of Title 32, feeble-minded persons of not more than 45 years of age at the time of commitment shall be received into the District Training School.

§ 21-1103. Petition of District Court as to feeble-mindedness; contents; verification; notice; process

(a) When a person who is a resident of the District of Columbia is supposed to be feeble-minded, his guardian, or a relative, or a reputable citizen of the District of Columbia may file with the clerk

of the United States District Court for the District of Columbia a petition, in writing, setting forth:

(1) that the person named in the petition is feeble-minded;

(2) such other facts as are necessary to bring the person within the purview of this chapter;

(3) the name and address of any person actually supervising, caring for, or supporting the person, or that the name and address thereof are unknown to the petitioner;

(4) the name and address of any person legally chargeable with the supervision, care, or support of the person, or that the name and address thereof are unknown to the petitioner;

(5) the names and addresses of the parents or guardians, or that they are unknown to the petitioner; and

(6) whether or not the person has been examined by a qualified physician having personal knowledge of his condition.

The petition shall be verified by affidavit, which is sufficient if it states that it is based upon information and belief.

(b) On a petition filed pursuant to subsection (a) of this section, there shall be indorsed the names and addresses of witnesses known to the petitioner, by whom the truth of the allegations of the petition may be proved, as well as the name and address of a qualified physician, if any is known to the petitioner, having personal knowledge of the case.

(c) Persons named in a petition filed pursuant to this section or whose names are endorsed thereon shall be notified of the proceedings by summons issued by the clerk of the court. Process shall be issued against those persons mentioned in the petition whose names are unknown to the petitioner, by the designation "To all whom it may concern", and the designation and notice are sufficient to authorize the court to hear and determine the proceedings as though the parties had been summoned by their proper names.

§ 21-1104. Summons; contents; answer not required; return day; service

The summons prescribed by section 21-1103 shall require all persons upon whom it is served to appear personally at the time and place stated therein and to bring into court the alleged feeble-minded person. A written answer to the petition is not required, but the cause shall stand for hearing upon the petition on the return day of the summons. The summons shall be made returnable at any time within 20 days after the date thereof. Service of process upon any of the persons named in the petition or whose names are endorsed thereon is not necessary if they appear or are brought before the court personally without service of summons. The summons may be served by any officer authorized by law to serve processes of the District Court of the United States for the District of Columbia.

§ 21-1105. Appointment and qualifications of physicians; examination; certificate

Pursuant to the filing of a petition under section 21-1103, the court shall appoint two physicians, at least one of whom is skilled in the diagnosis and treatment of mental diseases, to make an examination of the alleged feeble-minded person to determine his mental and physical condition. Their certificate shall be filed with the court on or before the hearing on the petition. The persons so appointed may make such personal examination of him as will enable them to offer an opinion as to his physical and mental condition. A certificate may not be made by them until after the examination.

§ 21-1106. Warrant to take into custody; detention or temporary guardianship; place of detention

Pursuant to the filing of a petition under section 21-1103, or upon motion at any time thereafter, where it is made to appear to the court by evidence given under oath that it is for the best interest of the alleged feeble-minded person or of other persons or of the community that he be at once taken into custody, or that the service of summons will be ineffectual to secure his presence, a warrant may issue on the order of the court directing that he be taken into custody and brought before the court forthwith or at such time and place as the court appoints. Pending the hearing of the petition, the court may order the detention of the alleged feeble-minded person, or the placing of him under temporary guardianship of a suitable person, on the latter person's entering into a recognizance for his appearance, as the court deems proper. Pending the hearing of the petition, the alleged feeble-minded person may not be detained in a place provided for the detention of persons charged with or convicted of a criminal or quasi-criminal offense.

§ 21-1107. Hearing; continuances; character of proofs; jury trial

After the filing of a petition under section 21-1103 and pending the final disposition of the case, the court may continue the hearing from time to time. The court shall take proofs as to the financial circumstances of the alleged feeble-minded persons and of his relatives legally liable for his support, and as to the alleged condition of the person and his personal and family history, and shall fully investigate the facts before making an order. When a jury is not required, the court shall determine the question of whether the person is feeble-minded. If the court deems it necessary, or if the alleged feeble-minded person or a relative or a person with whom he resides so demands, a jury shall be summoned to determine the question of whether the person is feeble-minded. The jury shall be selected from the jurors in attendance upon the court or a special jury may be summoned to determine the question.

§ 21-1108. Dismissal and discharge, or placement in District Training School; controlling considerations

Where, at a hearing under section 21-1107, the court or the jury finds that the alleged feeble-minded person is not feeble-minded as defined by this chapter, the court shall order the petition dismissed and the person discharged. Where the court or the jury finds that the alleged feeble-minded person is feeble-minded and subject to be dealt with under this chapter, have regard to all the circumstances appearing at the hearing, the controlling factor throughout the proceedings being the welfare of the persons of the community, the court shall enter a decree directing that the feeble-minded person be placed in the District Training School. The decree so entered is binding upon all persons whom it may concern until rescinded or otherwise superseded or set aside.

§ 21-1109. Private and public patients; bond for support and maintenance; sufficiency and justification of sureties

(a) If, at the time of or before the making of an order for placement in the District Training School pursuant to section 21-1108, a bond in the penal sum of $1,000, executed by a surety company authorized to do business in the District of Columbia, or by two or more sureties to be approved by the court, running to the United States and conditioned for the payment of the support and maintenance of the person in the manner prescribed by law, is delivered to the court, together with the sum of $50 as an advance payment toward the support of

the patient, the court shall order the admission of the person as a private patient. If the bond and advance payment are not given, the court shall order the admission of the person as a public patient. The bond and advance payment, together with the order of admission and bond, shall be transmitted by the clerk of the court to the Superintendent of the District Training School. Until the bond and advance payment are delivered to the Superintendent, he shall admit the person to the institution only as a public patient.

(b) At the request of the Superintendent of the District Training School, the court shall require the sureties on the bond provided by subsection (a) of this section to justify their responsibility anew or order that a new bond be given in place of the original. The justification or new bond shall be transmitted to the superintendent. Unless it is delivered to the Superintendent within 30 days, the patient shall from the time of the request be regarded as a public patient.

§ 21-1110. Liability of estate of public patient for maintenance

When the court orders the admission of a person to the District Training School as a public patient, and it appears then or thereafter that the patient has an estate out of which the Government may be reimbursed for his maintenance, in whole or in part, the court shall order the payment out of the estate of the whole or such part of the cost of maintenance of the patient at the institution as it deems just, regard being had for the needs of those having a legal right to support out of the estate. The order shall remain in full force and effect unless modified by the court. Upon the death of the feeble-minded person while an inmate at the institution, or within five years after his discharge therefrom, his estate is liable to the District of Columbia for the cost of his maintenance at the institution, and the claim of the District of Columbia is a preferred claim.

§ 21-1111. Proceedings to charge relatives legally responsible for maintenance of public patient; collection of maintenance payments; enforcement of order; liability of decedent's estate

(a) When a court orders the admission of a person to the District Training School as a public patient and finds at any time that the patient does not have an estate out of which the District of Columbia may be fully reimbursed for his maintenance, a parent, spouse, and adult children of the feeble-minded person, if of sufficient financial ability, shall pay the cost to the District of Columbia of his maintenance at the institution. The Commissioners of the District of Columbia may petition the court, during the commitment of the feeble-minded person to the institution, to direct any of those relatives to pay the District of Columbia, in whole or in part, for his maintenance at the institution. They may not be required to pay more than the actual cost to the District of Columbia of his maintenance.

(b) When the court finds that a relative specified by subsection (a) of this section is able to pay for the maintenance of the feeble-minded person, in whole or in part, it may make an order requiring payment by him or all the relatives of such sums as it finds that he or they are reasonably able to pay and as may be necessary to provide for his maintenance. The order shall require the payment of the sums to the Finance Office of the Department of General Administration, or its successor, or its authorized representative or agency, of the District of Columbia, annually, semiannually, quarterly, or monthly, as the court directs. The Finance Office, or its successor, or its authorized representative or agency, as the case may be, shall collect the sums due under this section and section 21-1110, and turn them into the Treasury of the United States to the credit of the District of Columbia.

(c) If a relative made liable for the maintenance of the feeble-minded person fails to provide or pay for the maintenance, or his part thereof, in accordance with the order of the court, the court shall issue to him a citation to show cause why he should not be adjudged in contempt. The citation shall be served at least 10 days before the hearing thereon.

(d) An order issued under this session may be enforced against any property of a relative made liable for the maintenance of the feeble-minded person, in the same way as if it were an order for temporary alimony in a divorce case.

(e) Upon the death of a relative ordered by the court to pay for the maintenance of the feeble-minded person in whole or in part, the estate of the relative is liable to the District of Columbia for the unpaid amount due the District of Columbia under the order of court at the time of his death, and the claim of the District of Columbia is a preferred claim against his estate.

§ 21-1112. Public patients may become private patients by filing bond and paying advance

When a person is admitted to the District Training School as a public patient, and thereafter the bond and advance payment referred to in section 21-1109 are executed and delivered to the court, the court shall make an order changing the status of the person from a public to a private patient.

§ 21-1113. Restrictions on discharge; petition for discharge; causes for discharge; superintendent to be notified; notice of variation of order; denial on one petition not a bar to another

(a) A feeble-minded person admitted to the District Training School pursuant to an order of court may not be discharged therefrom except as provided by this section, but the right of petition for the writ of habeas corpus may not be abridged.

(b) After the admission of a feeble-minded person pursuant to an order of court provided by this chapter, a relative or friend of the feeble-minded person, or a reputable citizen, or the superintendent of the institution, or the Department of Public Welfare, may petition the court that entered the order of admission to discharge the feeble-minded person, or to vary the order of the court admitting him to the institution.

(c) When, on the hearing of a petition filed pursuant to subsection (b) of this section, the court is satisfied that the welfare of the feeble-minded person or of other persons or of the community requires his discharge or a variation of the order, it may enter an order of discharge or variation as it deems proper.

(d) Discharges and variations of orders may be ordered or made if:

(1) the person adjudged to be feeble-minded is not feeble-minded; or

(2) the person has so far improved as to be capable of caring for himself; or

(3) the relatives or friends of the feeble-minded person are able and willing to supervise, control, care for, and support him, and request his discharge, and, in the judgment of the Superintendent of the District Training School, evil consequences are not likely to follow the discharge.

(e) The enumeration of grounds of discharge or variation by subsection (d) of this section does not exclude other grounds of discharge or variation which the court deems adequate, having regard for the welfare of the person concerned or of other persons or of the community.

(f) On a petition for discharge or variation filed pursuant to this section, the court may discharge the feeble-minded person from all supervision, control, and care, or make such variation of the order as to maintenance as the court deems fit under all the circumstances appearing at the hearing of the petition.

(g) The Superintendent of the District Training School shall be notified of the time and place of hearing on a petition for discharge or variation filed pursuant to this section, as the court directs, and an order of discharge or variation may not be entered without giving the Superintendent a reasonable opportunity to be heard. The court may notify such other persons, relatives, and friends of the feeble-minded person as it deems proper, of the time and place of the hearing on the petition.

(h) A person may not be charged with any greater degree of financial responsibility for the support of a feeble-minded person by variation of the order as to maintenance without notice and a reasonable opportunity to be heard.

(i) The denial of one petition for discharge or variation is not a bar to another petition on the same or different ground filed within a reasonable time thereafter, the reasonable time to be determined by the court in its discretion, discouraging frequent, repeated, frivolous, ill-founded petitions for discharge or variation of a prior order.

§ 21-1114. Proceeding when child brought before juvenile court appears feeble-minded

When a child is brought before the juvenile court of the District of Columbia as a dependent or delinquent child, and it appears to the court, on the testimony of a physician or psychologist or other evidence, that the child is feeble-minded within the meaning of this chapter, the court may adjourn the proceedings and direct a suitable officer of the court or other suitable reputable person to file a petition under this chapter. The court may order that, pending the preparation, filing, and hearing of the petition, the child be detained in a place of safety, or be placed under the guardianship of a suitable person, if that person enters into a recognizance for his appearance.

§ 21-1115. Inquiry under this chapter if person convicted of offense

(a) On the conviction by a court of record of competent jurisdiction of a person of an offense, or of a violation of an ordinance which is in whole or in part a violation of a statute of the District of Columbia, the court when satisfied on the testimony of a physician or a psychologist or other evidence that the person is feeble-minded within the meaning of this chapter, may suspend sentence, or suspend the entering of an order sending the person to a jail, prison, or reformatory, or to a training or industrial school, and direct that a petition be filed pursuant to this chapter.

(b) When the court directs a petition to be filed pursuant to subsection (a) of this section, it may order that, pending the preparation, filing and hearing of the petition, the person be detained in a place of safety, or be placed under the guardianship of a suitable person, if that person enters into a recognizance for his appearance.

(c) Where, upon the hearing of a petition filed pursuant to this section or pursuant to a subsequent hearing under this chapter, the person is found not to be feeble-minded, the court shall impose sentence.

§ 21-1116. Transfer to Saint Elizabeths Hospital when person becomes insane

When a person becomes insane while confined in the District Training School and the Superintendent of the institution certifies in writing

that the person is insane and is not a fit subject for care and maintenance at the institution, the United States District Court for the District of Columbia shall issue an order for his admission to Saint Elizabeths Hospital. The transfer does not affect the liability on a bond for private support, or an order for reimbursement for public support. All bonds and orders for reimbursement are liable and in force for the cost of maintenance at Saint Elizabeths Hospital.

§ 21-1117. Separate docket of feeble-minded cases; reports of commissions

The court shall keep a separate docket of proceedings in feeble-mindedness, upon which shall be made such entries as will, together with the papers filed, preserve a complete record of each case, the original petitions, writs, and returns made thereto. The reports of commissions shall be filed with the clerk of the court.

§ 21-1118. Transfer of feeble-minded from National Training Schools for Boys or Girls

When the Superintendent of the National Training School for Boys or of the National Training School for Girls certifies to the court that in his opinion an inmate thereof is feeble-minded, the court shall permit him or any other reputable citizen of the District of Columbia to file a petition as provided by section 21-1103. If the inmate is found and adjudged to be feeble-minded, the court shall immediately issue an order for his admission as a public patient to the District Training School.

§ 21-1119. Removal from school of nonresidents of the District of Columbia

The Department of Public Welfare shall cause a person who has been admitted to the District Training School, but who has not acquired a legal residence in the District, to be removed as soon as possible to the State in which he belongs.

§ 21-1120. Paroles; conditions; expense; discretion of superintendent; violation; return

Under general conditions prescribed by the Department of Public Welfare, the Superintendent of the District Training School may grant paroles to patients in the institution where the conditions in the homes in which they are to reside are satisfactory and where the paroles are deemed by the Superintendent as not injurious to the interests of the patients or the public. The expense of the vacation shall be borne by the guardian, relatives, or other persons responsible for the care of the patient while on the vacation. The Superintendent may grant a parole for an indefinite period to a patient who has improved sufficiently to warrant the opportunity and when satisfactory supervision for the patient while on the leave is assured. If the conditions of a parole granted under this chapter are violated, the patient may be taken up and returned as an escaped patient.

§ 21-1121. Citation, order, or process on inmates to be served only by superintendent

Only the Superintendent of the District Training School, or a person designated in writing by him, may serve a citation, order, or process required by law to be served on an inmate of the institution. Return thereof to the court from which it issued may be made by the Superintendent. The service and return have the same force and effect as if it had been made by the United States marshal of the

District of Columbia, or his deputy, or by the sheriff of the county in which the institution is located.

§ 21-1122. Approval of inmates' contracts, etc., by court

A public or private patient in the District Training School may not be allowed to execute a contract, deed, will, or other instrument unless the execution has first been allowed and approved by an order entered of record by the United States District Court for the District of Columbia. A certified copy of the order shall be furnished to the Superintendent of the institution at the time of the execution of the instrument.

The order of the court is evidence only of the capacity of the patient to make the instrument.

§ 21-1123. Offenses and penalties

Whoever:

(1) knowingly contrives, or conspires to have a person adjudged feeble-minded under the provisions of this chapter, unlawfully and improperly; or

(2) violates a provisions of this chapter—

shall be fined not more than $1,000 or imprisoned not more than one year, or both.

CHAPTER 13—ALCOHOLICS AND DRUG ADDICTS

Sec.
21-1301. Appointment of committee.
21-1302. Bond; powers and duties.
21-1303. Jurisdiction of court over property.
21-1304. Discharge.

§ 21-1301. Appointment of committee

When a person residing in the District of Columbia, and owning an estate, real or personal, situate therein, is alleged to be unfit, from the habitual use of intoxicating liquors, opium, cocaine, or similar substance, or compound or derivative thereof, to manage or control his estate properly, the United States District Court for the District of Columbia, on the petition of a creditor or relative of the person, or if there is not a creditor or relative, upon the petition of a person living in the District of Columbia, and upon summons being served upon the person alleged to be unfit, commanding him to appear and answer the petition, may order a jury to be summoned to ascertain whether the person is an alcoholic or addicted to the habitual use of opium, cocaine, or similar substance or compound or derivative thereof and unfit from any of these causes to manage and control his property. If the jury finds that the person is an alcoholic or a habitual user of opium, cocaine, or similar substance or a compound or derivative thereof and unfit to manage or control his property, the finding, when confirmed by the court, shall be entered of record in the cause, and the court shall thereupon appoint a fit person to be committee of the person so declared unfit to manage or control his property.

§ 21-1302. Bond; powers and duties

The committee before entering upon the discharge of his duties shall execute a bond, with surety, to be approved by the court or a judge thereof, to the United States in a penalty equal to the amount of the personal property and the yearly rents to be derived from the real estate of the person, conditioned for the faithful performance of his duties as the committee. He shall have control of the estate, real and personal, with power to collect all debts due the alcoholic or drug

addict, and to adjust and settle all accounts owing by him, and to sue and be sued in his representative capacity. He shall apply the annual income of the estate to the support of the person, and the maintenance of his family and education of his children; and shall in all other respects perform the same duties and have the same rights as pertain to committees of lunatics and idiots.

§ 21-1303. Jurisdiction of court over property

The court has the same powers as to the property of a person for whom a committee has been appointed pursuant to this chapter as it has in respect of the property of infants.

§ 21-1304. Discharge

When a person for whom a committee has been appointed under this chapter becomes competent to manage his property on account of reformation in his habits, he may apply to the court to have the committee discharged and the care and control of his property restored to him. When it appears by the verdict of a jury summoned therefor, or by affidavits, or other evidence to the satisfaction of the court, that the applicant is a fit person to have the care or control of his property, it shall enter an order restoring him to all the rights and privileges enjoyed before the committee was appointed.

CHAPTER 15—CONSERVATORS

Sec.

21-1501. Appointment of conservators.
21-1502. Filing of petition; requirements; time and place of hearing; appointment of guardian ad litem.
21-1503. Bond; powers and duties.
21-1504. Discharge.
21-1505. Appointment of temporary conservator.
21-1506. Personal welfare of person under conservatorship.
21-1507. Lis pendens.

§ 21-1501. Appointment of conservators

When an adult residing in or having property in the District of Columbia is unable, by reason of advanced age, mental weakness not amounting to unsoundness of mind, mental illness, as the latter term is defined by section 21-501, or physical incapacity, properly to care for his property, the United States District Court for the District of Columbia may, upon his petition or the sworn petition of one or more of his relatives or any other person or persons, appoint a fit person to be conservator of his property.

§ 21-1502. Filing of petition; requirements; time and place of hearing; appointment of guardian ad litem

(a) Pursuant to the filing of the petition under section 21-1501, the court shall fix a time and place for a hearing; and shall cause at least 14 days' notice thereof to be given to the person for whom a conservator is sought to be appointed, if he is not the petitioner, and to such other persons as the court directs. The petition shall include, among other things—

(1) the reasons for the appointment of a conservator;

(2) the name and address of the person for whom the conservator is sought;

(3) the date and place of his birth, if known; and

(4) the names and addresses of the nearest known heirs at law, or the next of kin, if any.

(b) The court may appoint a disinterested person to act as guardian ad litem in a proceeding under this section. Upon a finding that the person for whom the conservator is sought is incapable of caring for his property, the court shall appoint a conservator who shall have the charge and management of the property of the person subject to the direction of the court.

§ 21-1503. Bond; powers and duties

The conservator before entering upon the discharge of his duties shall execute an undertaking with surety to be approved by the court in such amount as the court orders, conditioned on the faithful performance of his duties as conservator. He shall have control of the estate, real and personal, of the person for whom he has been appointed conservator, with power to collect all debts due the person, and upon authority of the court to adjust and settle all accounts owing by him, and to sue and be sued in his representative capacity. He shall apply such part of the annual income and of the principal of the estate as the court authorizes to the support of the person and the maintenance and education of his family and children; and shall in all other respects perform the same duties and have the same rights and powers with respect to the property of the person as have guardians of the estates of infants.

§ 21-1504. Discharge

When a person for whom a conservator has been appointed under this chapter becomes competent to manage his property, he may apply to the court to have the conservator discharged and to be restored to the care and control of his property. If the court finds him to be competent, it shall enter an order restoring the care and control of his property to him. The court has the same powers with respect to the property of a person for whom a conservator has been appointed as it has with the respect to the property of infants under guardianships.

§ 21-1505. Appointment of temporary conservator

Upon the filing of a petition as provided by this chapter, the court may, with or without notice or hearing, appoint a temporary conservator of the estate of a person, if it deems the action necessary for the protection of the estate, subject to the provisions for an undertaking specified by section 21-1503. The temporary conservator shall serve only until a permanent conservator can be appointed or until sooner discharged.

§ 21-1506. Personal welfare of person under conservatorship

The court may at any time order that the conservator or another person shall be responsible for the personal welfare of the person whose property is under conservatorship. In that event the conservator or other person, subject to the direction and control of the Civil Division of the court, has the same powers and duties with respect to the personal welfare of the person whose property is under conservatorship as have the guardians of the persons or infants under guardianships.

§ 21-1507. Lis pendens

Upon the filing of a petition under this chapter, a certified copy of the petition may be filed for record in the office of the Recorder of Deeds of the District of Columbia. If a conservator is appointed on the petition, all contracts, except for necessaries, and all transfers

of real and personal property made by the ward after the filing and before the termination of the conservatorship are void.

Uniform Fiduciaries Act.

CHAPTER 17—UNIFORM FIDUCIARIES ACT

Sec.
21-1701. Definitions.
21-1702. Application of payment made to fiduciaries.
21-1703. Transfer of negotiable instruments by fiduciary.
21-1704. Check drawn by fiduciary payable to third person.
21-1705. Check drawn by and payable to fiduciary.
21-1706. Deposit in name of fiduciary as such.
21-1707. Deposit in name of principal; check drawn thereon by fiduciary; check payable to drawee bank.
21-1708. Deposit in fiduciary's personal account.
21-1709. Deposit in names of two or more trustees.
21-1710. Law not retroactive.
21-1711. Cases not provided for by chapter.
21-1712. Short title.

§ 21-1701. Definitions

(a) In this chapter unless the context otherwise requires:

"bank" includes a person or association of persons, whether incorporated or not, carrying on the business of banking;

"fiduciary" includes a trustee under a trust, express, implied, resulting or constructive, executor, administrator, guardian, conservator, curator, receiver, trustee in bankruptcy, assignee for the benefit of creditors, partner, agent, officer of a corporation, public or private, public officer, or other person acting in a fiduciary capacity for a person, trust, or estate;

"person" includes a corporation, partnership, or other association, or two or more persons having a joint or common interest;

"principal" includes a person to whom a fiduciary as such owes an obligation.

(b) A thing is done "in good faith" within the meaning of this chapter, when it is in fact done honestly, whether negligently or not.

§ 21-1702. Application of payment made to fiduciaries

A person who in good faith pays or transfers to a fiduciary money or other property which the fiduciary as such is authorized to receive, is not responsible for the proper application thereof by the fiduciary; and any right or title acquired from the fiduciary in consideration of the payment or transfer is not invalid in consequence of a misapplication by the fiduciary.

§ 21-1703. Transfer of negotiable instruments by fiduciary

If a negotiable instrument payable or indorsed to a fiduciary as such is indorsed by the fiduciary, or if a negotiable instrument payable or indorsed to his principal is indorsed by a fiduciary empowered to indorse the instrument on behalf of his principal, the indorsee is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in indorsing or delivering the instrument, and is not chargeable with notice that the fiduciary is committing a breach of his obligation as fiduciary unless he takes the instrument with actual knowledge of the breach or with knowledge of such facts that his action in taking the instrument amounts to bad faith. If, however, the instrument is transferred by the fiduciary in payment of or as security for a personal debt of the fiduciary to the actual knowledge of the

creditor, or is transferred in a transaction known by the transferee to be for the personal benefit of the fiduciary, the creditor or other transferee is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in transferring the instrument.

§ 21–1704. Check drawn by fiduciary payable to third person

If a check or other bill of exchange is drawn by a fiduciary as such, or in the name of his principal by a fiduciary empowered to draw such an instrument in the name of his principal, the payee is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in drawing or delivering the instrument, and is not chargeable with notice that the fiduciary is committing a breach of his obligation as fiduciary unless he takes the instrument with actual knowledge of the breach or with knowledge of facts that his action in taking the instrument amounts to bad faith. Where, however, the instrument is payable to a personal creditor of the fiduciary and delivered to the creditor in payment of or as security for a personal debt of the fiduciary to the actual knowledge of the creditor, or is drawn and delivered in a transaction known by the payee to be for the personal benefit of the fiduciary, the creditor or other payee is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in drawing or delivering the instrument.

§ 21–1705. Check drawn by and payable to fiduciary

If a check or other bill of exchange is drawn by a fiduciary as such or in the name of his principal by a fiduciary empowered to draw such an instrument in the name of his principal, payable to the fiduciary personally, or payable to a third person and by him transferred to the fiduciary, and is thereafter transferred by the fiduciary, whether in payment of a personal debt of the fiduciary or otherwise, the transferee is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in transferring the instrument, and is not chargeable with notice that the fiduciary is committing a breach of his obligations as fiduciary unless he takes the instrument with actual knowledge of the breach or with knowledge of facts that his action in taking the instrument amounts to bad faith.

§ 21–1706. Deposit in name of fiduciary as such

If a deposit is made in a bank to the credit of a fiduciary as such, the bank is authorized to pay the amount of the deposit or any part thereof upon the check of the fiduciary, signed with the name in which the deposit is entered, without being liable to the principal, unless the bank pays the check with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in drawing the check or with knowledge of facts that its action in paying the check amounts to bad faith. If, however, the check is payable to the drawee bank and is delivered to it in payment of or as security for a personal debt of the fiduciary to it, the bank is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in drawing or delivering the check.

§ 21–1707. Deposit in name of principal; check drawn thereon by fiduciary; check payable to drawee bank

If a check is drawn upon a bank account of his principal by a fiduciary who is empowered to draw checks upon his principal's account, the bank is authorized to pay the checks without being liable

to the principal, unless the bank pays the check with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in drawing the check, or with knowledge of facts that its action in paying the check amounts to bad faith. If, however, the check is payable to the drawee bank and is delivered to it in payment of or as security for a personal debt of the fiduciary to it, the bank is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in drawing or delivering the check.

§ 21-1708. Deposit in fiduciary personal account

When a fiduciary deposits in a bank to his personal credit checks:

(1) drawn by him upon an account in his own name as fiduciary; or

(2) payable to him as fiduciary; or

(3) drawn by him upon an account in the name of his principal if he is empowered to draw checks thereon; or

(4) payable to his principal and indorsed by him, if he is empowered to indorse such checks—

or if he otherwise deposits funds held by him as fiduciary, the bank receiving the deposit is not bound to inquire whether the fiduciary is committing thereby a breach of his obligation as fiduciary, and may pay the amount of the deposit or any part thereof upon the personal check of the fiduciary without being liable to the principal, unless the bank receives the deposit or pays the check with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in making the deposit or in drawing the check, or with knowledge of facts that its action in receiving the deposit or paying the check amounts to bad faith.

§ 21-1709. Deposit in names of two or more trustees

When a deposit is made in a bank in the name of two or more persons as trustees and a check is drawn upon the trust account by any trustee authorized by the others to draw checks upon the trust account, neither the payee nor other holder nor the bank is bound to inquire whether it is a breach of trust to authorize the trustee to draw checks upon the trust account, and is not liable unless the circumstances be such that the action of the payee or other holder or the bank amounts to bad faith.

§ 21-1710. Law not retroactive

This chapter does not apply to transactions that took place prior to May 14, 1928.

§ 21-1711. Cases not provided for by chapter

In a case not provided for by this chapter the rules of law and equity, including the law merchant and those rules of law and equity relating to trusts, agency, negotiable instruments, and banking, continue to apply.

§ 21-1712. Short title

This chapter may be cited as the "Uniform Fiduciaries Act".

SEC. 2. The Commission on Mental Health continued by section 21-502 of Part III, District of Columbia Code, as set out in section 1 of this Act, is the Commission established by the Act approved June 8, 1938 (chapter 326, 52 Stat. 625), as amended, and continued by section 20 of the Act approved September 15, 1964 (Pub. Law 88-597, 78 Stat. 954). Chapter 5 of Title 21 of Part III, District of Columbia Code, as set out in section 1 of this Act, does not affect or impair the existence of the Commission so established and continued, and does not alter the pay or the terms of office of the members of the Commission serving as such on December 31, 1965.

Dower rights.

SEC. 3. Section 3 of the Act approved August 31, 1957 (Pub. L. 85-244, 71 Stat. 560), as amended by section 3 of the Act approved September 14, 1961 (Pub. L. 87-246, 75 Stat. 515), is amended to read as follows:

"SEC. 3. Effective March 15, 1962, all provisions of the Act entitled 'An Act to establish a code of law for the District of Columbia', approved March 3, 1901, as amended, and all other laws in force in the District of Columbia, relating to the right of dower and its incidents, apply to both husband and wife."

SEC. 4. The repeal, by section 8 of this Act, of section 19(b) of the Act approved September 15, 1964 (Pub. Law 88-597, 78 Stat. 953; D.C. Code, 1961 ed., Supp. IV, 1965, sec. 21-308 note), and the prior repeal, by section 19(a) of such Act approved September 15, 1964 (78 Stat. 953) of the Act approved June 8, 1938 (chapter 326, 52 Stat. 625; D.C. Code, 1961 ed., sec. 21-308), as amended, and of the Act approved August 9, 1939 (chapter 620, 53 Stat. 1293; D.C. Code, 1961 ed., secs. 21-310 to 21-318, 21-320 to 21-325), as amended, do not affect (1) any action or proceeding brought prior to September 15, 1964, and existing on December 31, 1965, or (2) any liability incurred by a person for the payment of the costs of maintenance and treatment of an insane or incompetent person hospitalized in the District of Columbia prior to September 15, 1964, and any such action or proceeding shall be heard or determined and such liability continued in accordance with the provisions of those Acts in the same manner and to the same extent as if they had not been repealed.

Appropriation.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of Part III, District of Columbia Code, as set out in section 1 of this Act.

SEC. 6. The following British statutes, heretofore classified to Part III of the District of Columbia Code, 1961 edition, under the authority of section 1 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1189; D.C. Code, 1961 ed., sec. 49-301), have no further force, as such, in the District of Columbia:

(1) 9 Henry III (1225), chapter 7, section 1 (D.C. Code, 1961 ed., sec. 18-201).

(2) 13 Edward I (1285), chapter 4 (D.C. Code, 1961 ed., sec. 18-207).

(3) 13 Edward I (1285), chapter 7 (D.C. Code, 1961 ed., sec. 18-208).

(4) 13 Edward I (1285), chapter 15, section 1 (D.C. Code, 1961 ed., sec. 21-117).

(5) 13 Edward I (1285), chapter 34, section 4 (D.C. Code, 1961 ed., sec. 18-203).

(6) 21 Henry VIII (1529), chapter 4, section 1 (D.C. Code, 1961 ed., sec. 18-605).

(7) 27 Henry VIII (1535), chapter 10, sections 6, 7, 9 (D.C. Code, 1961 ed., secs. 18-206, 18-209, 18-205, respectively).

(8) 43 Elizabeth I (1601), chapter 8, section 2 (D.C. Code, 1961 ed., sec. 20-113).

(9) 30 Charles II (1677), chapter 7, section 2 (D.C. Code, 1961 ed., sec. 20-114).

(10) 4 and 5 William and Mary (1692), chapter 24, section 12 (D.C. Code, 1961 ed., sec. 20-112).

(11) 25 George II (1752) chapter 6, sections 1, 2, 7 (D.C. Code, 1961 ed., secs. 19-104, 19-106, 19-105, respectively).

Effective date.

SEC. 7. This Act takes effect on January 1, 1966.

Repeals.

SEC. 8. The sections of the Acts or parts of Acts, enumerated in the schedule below, are repealed. Any rights or liabilities existing under the statutes or parts thereof so repealed, and any cases, actions, or proceedings instituted under, or growing out of, any of the statutes or parts thereof so repealed, are not affected by the repeal. However, laws becoming effective after February 3, 1965, and inconsistent with this Act supersede it to the extent of the inconsistency.

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Do	854	371	31	1249	20-608
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Do	854	378	31	1250	18-706
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Do	854	380	31	1250	18-708
Do	854	381	31	1250	18-709
Do	854	382	31	1250	18-710
Do	854	383	31	1250	18-711
Do	854	384	31	1250	18-712
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Do	854	1127	31	1369	21-110
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[1] As added by Act June 30, 1902, ch. 1329, 32 Stat. 520 (524).
[2] As added by Act June 30, 1902, ch. 1329, 32 Stat. 520 (524, 525).
[3] As added by Act April 19, 1920, ch. 153, § 1, 41 Stat. 555 (556, 557).
[4] As added by Act April 19, 1920, ch. 153, § 1, 41 Stat. 555 (557).
[5] As added by Act Sept. 14, 1959, Pub. L. 86-268, 73 Stat. 553.
[6] As added by Act April 19, 1920, ch. 153, § 1, 41 Stat. 555 (562, 563).
[7] As added by Act June 30, 1902, chapter 1329, 32 Stat. 520 (530).
[8] As added by Act June 24, 1949, ch. 244, 63 Stat. 269.
[9] As added by Act June 24, 1949, ch. 244, 63 Stat. 269.
[10] As added by Act June 24, 1949, ch. 244, 63 Stat. 269, 270.
[11] As added by Act June 24, 1949, ch. 244, 63 Stat. 269 (270).
[12] As added by Act June 24, 1949, ch. 244, 63 Stat. 269 (270).
[13] As added by Act June 24, 1949, ch. 244, 63 Stat. 269 (271).
[14] As added by Act June 24, 1949, ch. 244, 63 Stat. 269 (271).
[15] As added by Act June 24, 1949, ch. 244, 63 Stat. 269 (271).
[16] As added by Act June 24, 1949, ch. 244, 63 Stat. 269 (271).
[17] As added by Act June 24, 1949, ch. 244, 63 Stat. 269 (271).
[18] As added by Act December 5, 1963, Public Law 88-192, § 1, 77 Stat. 345.
[19] As added by Act June 30, 1902, ch. 1329, 32 Stat. 520 (545, 546).
[20] The provisions on page 526 amending sections 130 and 140 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1211, 1213).
[21] The provisions on page 527 amending sections 146, 162, 163, and 164 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1214, 1216).
[22] The provisions on page 528 amending sections 260, 263, 275, and 289 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1231, 1232, 1234, 1235).
[23] The provisions on pages 528 and 529 amending section 290 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1235).
[24] The provisions on page 529 amending sections 293, 297, 312, 317, 319, 321, 327, 337, 351, 362, and 363 of the Act approved March 3, 1901 (ch. 854, 31 Stat, 1235, 1236, 1239, 1240, 1241, 1244, 1246, 1247).
[25] The provisions on pages 529 and 530 amending section 365 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1248).
[26] The provisions on page 530 amending sections 379 and 383 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1250).
[27] The provisions on page 535 amending section 830 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1324).
[28] The provisions on page 542 amending section 1141 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1371).
[29] The provisions on page 545 amending sections 1628 and 1633 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1433, 1434).
[30] The provisions on page 556 amending section 115a of the Act approved March 3, 1901 (ch. 854), as added by Act June 30, 1902, ch. 1329, 32 Stat. 520 (524).
[31] The provisions on pages 557 and 558 amending section 140 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1213).
[32] The provisions on page 561 amending sections 276, 277 and 278 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1234).
[33] The provisions on page 562 amending sections 279, 280, 306, 307 and 308 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1234, 1238).
[34] The provisions on page 563 amending sections 310, 321, 374, 375, 376 and 377 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1239, 1240, 1249, 1250).
[35] The provisions on pages 567 and 568 amending section 1173 of the Act approved March 3, 1901 (ch. 854, 31 Stat. 1376).
[36] Only the provisions in the eighth paragraph on page 1007, reading as follows: "*Provided*, That the salary of the executive secretary shall be at the rate of $3,000 per annum".
[37] Only the provisions in the second paragraph on page 310, reading as follows: "*Provided*, That the salary of the executive secretary shall be at the rate of $3,000 per annum and the salary of each physician-member shall be at the rate of $3,800 per annum".

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[38] Which amended generally Act August 3, 1956, ch. 947, §§ 1-11, 70 Stat. 1028-1031 (D.C. Code, 1961 ed. Supp. IV, secs. 21-214 to 21-224 note, 21-225 note).

[39] Second sentence, only.

Approved September 14, 1965.

Public Law 89-184

September 15, 1965
[H. R. 9570]

AN ACT

To amend the Federal Firearms Act to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the Act if he determines that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner.

Federal Firearms Act, amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Firearms Act, as amended (52 Stat. 1250; 15 U.S.C. 901 et seq.), is amended by adding at the end thereof the following new section:

68A Stat. 721; 72 Stat. 1428. 26 USC 5849.

"SEC. 10. A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this Act or of the National Firearms Act) may make application to the Secretary of the Treasury for relief from the disabilities under this Act incurred by reason of such conviction, and the Secretary of the Treasury may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this Act, who makes application for relief from the disabilities incurred under this Act by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary of the Treasury grants relief to any person pursuant to this section, he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor."

Publication in Federal Register.

Approved September 15, 1965.

Public Law 89-185

AN ACT

September 15, 1965
[H. R. 5024]

To amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their 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 section 2732 of title 10, United States Code, is amended as follows:

Uniformed services.
Claims settlement.
72 Stat. 1461.

Subsection (a) is amended by striking out "$6,500" and inserting in place thereof "$10,000".

SEC. 2. Section 490(a) of title 14, United States Code, is amended by striking out "$6,500" and inserting in place thereof "$10,000".

72 Stat. 832.

SEC. 3. (a) Section 2 of the Military Personnel and Civilian Claims Act of 1964 (78 Stat. 767) is amended to read as follows:

31 USC 240.
Definitions.

"SEC. 2. As used in this Act—

"(1) 'agency' includes an executive department, military department, independent establishment, or corporation primarily acting as an instrumentality of the United States, but does not include any contractor with the United States;

"(2) 'uniformed services' means the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; and

"(3) 'settle' means consider, ascertain, adjust, determine, and dispose of any claim, whether by full or partial allowance or disallowance.

"(4) 'military department' means Department of the Army, Department of the Navy, and the Department of the Air Force."

Military departments.
$10,000 limitation.
31 USC 241.

(b) Section 3 of the Military Personnel and Civilian Employees' Claims Act of 1964 (78 Stat. 767) is amended to read as follows:

"SEC. 3. (a) (1) Under such regulations as the Secretary of a military department, or the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a part of the Navy, may prescribe, he or his designee may settle and pay a claim arising after the effective date of this Act against the United States for not more than $10,000 made by a member of the uniformed services under the jurisdiction of that department or the Coast Guard or by a civilian officer or employee of that department or the Coast Guard, for damage to, or loss of, personal property incident to his service. If the claim is substantiated and the possession of that property is determined to be reasonable, useful, or proper under the circumstances, the claim may be paid or the property replaced in kind. This subsection does not apply to claims settled before its enactment.

Civilian employees.

"(2) Under such regulations as the Secretary of Defense may prescribe, he or any officer designated by him has the same authority as the Secretary of a military department with respect to a claim by a civilian employee of the Department of Defense not otherwise covered by this subsection for damage to, or loss of personal property incident to, his service.

"(3) If a person named in this subsection is dead, the Secretary of the military department concerned or his designee, or the Secretary of the Treasury or his designee, or the Secretary of Defense or his designee, as the case may be, may settle and pay any claim made by the decedent's surviving (1) spouse, (2) children, (3) father or mother, or both, or (4) brothers or sisters, or both, that arose before, concurrently with, or after the decedent's death and is otherwise covered by this subsection. Claims of survivors shall be settled and paid in the order named.

Non-military departments. $6,500 limitation.

"(b)(1) Subject to any policies the President may prescribe to effectuate the purposes of this subsection and under such regulations as the head of an agency, other than a military department, the Secretary of the Treasury with respect to the Coast Guard, or the Department of Defense, may prescribe, he or his designee may settle and pay a claim arising after the effective date of this Act against the United States for not more than $6,500 made by a member of the uniformed services under the jurisdiction of that agency or by a civilian officer or employee of that agency, for damage to, or loss of, personal property incident to his service. If the claim is substantiated and the possession of that property is determined to be reasonable, useful, or proper under the circumstances, the claim may be paid or the property replaced in kind. This subsection does not apply to claims settled before its enactment.

"(2) If a person named in this subsection is dead, the head of the agency concerned, or his designee, may settle and pay any claim made by the decendent's surviving (1) spouse, (2) children, (3) father or mother, or both, or (4) brothers or sisters, or both, that arose before, concurrently with, or after the decedent's death and is otherwise covered by this subsection. Claims of survivors shall be settled and paid in the order named."

Settlement conditions.

(c) A claim may be allowed under this section for damage to, or loss of, property only if—

(1) it is presented in writing within two years after it accrues, except that if the claim accrues in time of war or in time of armed conflict in which any armed force of the United States is engaged or if such a war or armed conflict intervenes within two years after it accrues, and if good cause is shown, the claim may be presented not later than two years after that cause ceases to exist, or two years after the war or armed conflict is terminated, whichever is earlier;

(2) it did not occur at quarters occupied by the claimant within the fifty States or the District of Columbia that were not assigned to him or otherwise provided in kind by the United States; or

(3) it was not caused wholly or partly by the negligent or wrongful act of the claimant, his agent, or his employee.

War duration, determination.

(d) For the purposes of subsection (c)(1), the dates of beginning and ending of an armed conflict are the dates established by concurrent resolution of Congress or by a determination of the President.

Report to Congress.

(e) The head of each agency shall report once a year to Congress on claims settled under this section during the period covered by the report. The report shall include for each claim the name of the claimant, the amount claimed, and the amount paid.

Effective dates.

SEC. 4. Sections 1 and 2 of this Act are effective July 2, 1952, and section 3 of this Act is effective August 31, 1964, for the purpose of reconsideration of settled claims as provided in this section. Notwithstanding section 2735 of title 10, United States Code, section 490 (a) of title 14, United States Code, the Act of October 9, 1940, chapter 788 (31 U.S.C. 71a), or section 4 of the Military Personnel and Civilian Employees' Claims Act of 1964, a claim heretofore settled in the amount of $6,500 solely by reason of the maximum limitation established by section 1(a) of the Military Personnel Claims Act of 1945, as amended (70 Stat. 255), section 2732(a) of title 10, United States Code, section 490(a) of title 14, United States Code, or section 3(a) of the Military Personnel and Civilian Employees' Claims Act of 1964 may, upon written request of the claimant made within one year from the date of enactment of this Act, be reconsidered and settled under the amendments contained in sections 1, 2, and 3 of this Act.

70A Stat. 155.
72 Stat. 832.
54 Stat. 1061.
78 Stat. 768.
31 USC 242.
31 USC 222c.
72 Stat. 1461.
31 USC 241.

SEC. 5. The Military Personnel and Civilian Employees' Claims Act of 1964 (78 Stat. 767) is amended by the addition of the following section:

Limitation.
31 USC 240 note.

"SEC. 8. No more than 10 per centum of the amount paid in settlement of each individual claim submitted and settled 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 that 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."

Penalty.

Approved September 15, 1965.

Public Law 89-186

AN ACT

September 15, 1965
[S. 2420]

To provide continuing authority for the protection of former Presidents and their wives or widows, 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 second clause of title 18, United States Code, section 3056, is amended to read as follows: "protect the person of a former President and his wife during his lifetime and the person of a widow and minor children of a former President for a period of four years after he leaves or dies in office, unless such protection is declined;".

Former Presidents and families.
Protection.
65 Stat. 122;
76 Stat. 956.

Approved September 15, 1965.

Public Law 89-187

JOINT RESOLUTION

September 15, 1965
[S. J. Res. 53]

To establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is established a commission to be known as the Father Marquette Tercentenary Commission, which shall be composed of twelve members as follows:

Father Marquette Tercentenary Commission.
Establishment.

(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; and

(3) Four members to be appointed by the President of the United States.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman and executive officer. The members of the Commission shall receive no salary by reason of their services as members, but the executive officer may reimburse them for reasonable and necessary expenses incurred by them in conducting Commission business.

(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.

SEC. 2. The functions of the Commission shall be to develop and execute suitable plans for the celebration of the three hundredth anniversary of the advent and subsequent history of Father Jacques

Functions.

Marquette, who came to New France in 1666. In conjunction with the development of such plans, the Commission shall investigate, in cooperation with the Secretary of the Interior, the desirability and suitability of establishing a permanent national monument or memorial to commemorate the historical events associated with the life of Father Jacques Marquette in the New World. The Secretary of the Interior shall submit a report of such investigation to the President for transmittal to the Congress, together with any recommendations which the President may deem appropriate.

Report to President.

Personnel.

63 Stat. 954. 5 USC 1071 note.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided*, That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

Compensation.

Donations of money, property, etc.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with agencies of State and local governments; with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution.

Records of expenditures.

Report to Congress.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within one year following the termination of the celebration as prescribed by this joint resolution. The Commission shall terminate upon submission of its report to the Congress, unless the investigation authorized in section 2 of this joint resolution is incomplete and the report thereon has not been submitted to the Congress.

Surplus property, disposal.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

(d) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to section 4156 of title 39, United States Code, as amended.

74 Stat. 661.

Approved September 15, 1965.

Public Law 89-188

September 16, 1965
[H. R. 10775]

AN ACT

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, 1966.

TITLE I

Army.

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:

INSIDE THE UNITED STATES

CONTINENTAL UNITED STATES, LESS ARMY MATERIEL COMMAND

(First Army)

Fort Devens, Massachusetts: Hospital facilities and troop housing, $11,008,000.

Fort Dix, New Jersey: Maintenance facilities, medical facilities, and troop housing, $17,948,000.

Federal Office Building, Brooklyn, New York: Administrative facilities, $636,000.

United States Military Academy, West Point, New York: Hospital facilities, troop housing and community facilities, and utilities, $18,089,000.

(Second Army)

Fort Belvoir, Virginia: Training facilities, and hospital facilities, $2,296,000.

East Coast Radio Transmitter Station, Woodbridge, Virginia: Utilities, $211,000.

Fort Eustis, Virginia: Utilities, $158,000.

Fort Knox, Kentucky: Training facilities, maintenance facilities, troop housing, and community facilities, $15,422,000.

Fort Lee, Virginia: Community facilities, $700,000.

Fort Meade, Maryland: Ground improvements, $550,000.

Fort Monroe, Virginia: Administrative facilities, $4,950,000.

Vint Hill Farms, Virginia: Maintenance facilities, troop housing and utilities, $1,029,000.

(Third Army)

Fort Benning, Georgia: Maintenance facilities, troop housing and utilities, $5,325,000.

Fort Bragg, North Carolina: Maintenance facilities, supply facilities, medical facilities, troop housing and community facilities, $4,106,000.

Fort Campbell, Kentucky: Operational and training facilities, maintenance facilities, troop housing and utilities, $1,992,000.

Fort Gordon, Georgia: Training facilities, troop housing and community facilities, $18,485,000.

Fort Jackson, South Carolina: Training facilities, maintenance facilities, medical facilities, and troop housing facilities, $17,281,000.

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Fort Rucker, Alabama: Maintenance facilities, troop housing, and community facilities, $3,720,000.

Fort Stewart, Georgia: Hospital facilities and utilities, $2,317,000.

(Fourth Army)

Fort Bliss, Texas: Operational facilities, administrative facilities, and community facilities, $838,000.

Brooke Army Medical Center, Texas: Training facilities, $8,300,000.

Fort Hood, Texas: Maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $18,081,000.

Fort Sam Houston, Texas: Medical facilities, $1,300,000.

Fort Polk, Louisiana: Training facilities, troop housing, and utilities, $1,118,000.

Fort Sill, Oklahoma: Operational and training facilities, administrative facilities, troop housing and community facilities, $2,268,000.

(Fifth Army)

Fort Carson, Colorado: Maintenance facilities, $3,463,000.

Fort Benjamin Harrison, Indiana: Hospital facilities, troop housing and community facilities, $4,017,000.

Fort Leavenworth, Kansas: Operational facilities and medical facilities, $2,893,000.

Fort Riley, Kansas: Maintenance facilities, troop housing and community facilities, and utilities, $9,555,000.

Fort Sheridan, Illinois: Utilities, $47,000.

Fort Leonard Wood, Missouri: Operational and training facilities, and troop housing facilities, $16,084,000.

(Sixth Army)

Fort Irwin, California: Operational facilities, maintenance facilities, hospital facilities, community facilities, and utilities, $4.741,000.

Fort Lewis, Washington: Training facilities, troop housing and community facilities, $710,000.

Presidio of Monterey, California: Training facilities and troop housing, $3,046,000.

Fort Ord, California: Maintenance facilities, $974,000.

Presidio of San Francisco, California: Administrative facilities, $1,299,000.

Two Rock Ranch, California: Operational facilities, maintenance facilities, and utilities, $385,000.

West Coast Receiving Station, California: Utilities, $166,000.

Yakima Firing Range, Washington: Troop housing, $56,000.

(Military District of Washington)

Army Map Service, Maryland: Operational facilities, $182,000.

Cameron Station, Virginia: Medical facilities, $168,000.

Fort Myer, Virginia: Troop housing and community facilities, and utilities, $5,409,000.

Walter Reed Army Medical Center, District of Columbia: Medical facilities and utilities, $611,000.

ARMY MATERIEL COMMAND

Aberdeen Proving Ground, Maryland: Administrative facilities and utilities, $3,419,000.

Aeronautical Maintenance Center, Texas: Maintenance facilities, $1,941,000.

Anniston Army Depot, Alabama: Maintenance facilities, $837,000.

Bayonne Naval Supply Center, Bayonne, New Jersey: Maintenance facilities, supply facilities, administrative facilities, and utilities, $3,658,000.

Blue Grass Army Depot, Kentucky: Operational facilities and maintenance facilities, $779,000.

Cold Regions Research and Engineering Laboratory, New Hampshire: Maintenance facilities, research, development and test facilities, $1,184,000.

Fort Detrick, Maryland: Operational facilities, research, development and test facilities, and utilities, $11,771,000.

Dugway Proving Ground, Utah: Community facilities, $137,000.

Edgewood Arsenal, Maryland: Utilities, $164,000.

Granite City Army Depot, Illinois: Utilities, $56,000.

Fort Huachuca, Arizona: Troop housing, $320,000.

Jefferson Proving Ground, Indiana: Operational facilities, $52,000.

Letterkenny Army Depot, Pennsylvania: Maintenance facilities, and utilities, $2,239,000.

Lexington Army Depot, Kentucky: Administrative facilities, and utilities, $526,000.

Fort Monmouth, New Jersey: Troop housing, $586,000.

Natick Laboratories, Massachusetts: Maintenance facilities, $1,371,000.

Navajo Army Depot, Arizona: Utilities, $56,000.

New Cumberland Army Depot, Pennsylvania: Operational facilities, supply facilities, and administrative facilities, $815,000.

Oakland Army Terminal, California: Community facilities, $912,000.

Picatinny Arsenal, New Jersey: Administrative facilities, $584,000.

Pueblo Army Depot, Colorado: Utilities, $337,000.

Red River Army Depot, Texas: Maintenance facilities and utilities, $465,000.

Redstone Arsenal, Alabama: Training facilities, $1,364,000.

Rock Island Arsenal, Illinois: Administrative facilities, and utilities, $826,000.

Rocky Mountain Arsenal, Colorado: Maintenance facilities, $36,000.

Savanna Army Depot, Illinois: Training facilities, $102,000.

Sharpe Army Depot, California: Maintenance facilities, $175,000.

Sierra Army Depot, California: Utilities, $115,000.

Tobyhanna Army Depot, Pennsylvania: Supply facilities, $199,000.

Tooele Army Depot, Utah: Utilities, $340,000.

Watervliet Arsenal, New York: Utilities, $1,713,000.

White Sands Missile Range, New Mexico: Research, development and test facilities, $473,000.

United States Army, Hawaii

Schofield Barracks, Hawaii: Maintenance facilities, troop housing and utilities, $3,175,000.

OUTSIDE THE UNITED STATES

Okinawa, Various: Community facilities, and utilities, $2,558,000.

Germany, Various: Operational facilities, and troop housing, $2,046,000.

Fort Clayton, Canal Zone: Utilities, $387,000.

Classified Location: Operational facilities, $2,400,000.

Establishment of classified installations.

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 $39,470,000.

Construction for unforeseen requirements.

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, 1966, 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 congressional committees.

74 Stat. 166.

SEC. 104. (a) Public Law 86-500, as amended, is amended under heading "Inside the United States" in section 101, as follows: (1) Under the subheading "Technical Services Facilities (Ordnance Corps)," with respect to "Watertown Arsenal, Massachusetts," strike out, "$1,849,000" and insert in place thereof "$1,952,000."

77 Stat. 311.

(b) Public Law 86-500, as amended, is amended by striking out in clause (1) of section 502, "$80,460,000" and "$147,390,000" and inserting in place thereof "$80,563,000" and "$147,493,000," respectively.

76 Stat. 224.

SEC. 105. (a) Public Law 87-554, as amended, is amended under heading "Inside the United States" in section 101, as follows: (1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri," strike out "$8,567,000" and insert in place thereof "$9,066,000".

77 Stat. 311.

(b) Public Law 87-554, as amended, is amended by striking out in clause (1) of section 602, "$101,816,000", and "$150,325,000" and inserting in place thereof "$102,315,000", and "$150,824,000," respectively.

SEC. 106. (a) Public Law 88-174, as amended, is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri", strike out "$8,163,000" and insert in place thereof "$8,737,000."

(2) Under the subheading "Army Component Commands (Pacific Command Area)", with respect to "Hawaii Defense

Area, Hawaii", strike out "$150,000" and insert in place thereof "$279,000". 77 Stat. 309.

(b) Public Law 88-174, as amended, is amended by striking out in clause (1) of section 602, "$154,993,000", and "$199,650,000" and inserting in place thereof "$155,696,000" and "$200,353,000", respectively. 78 Stat. 345.

SEC. 107. (a) Public Law 88-390 is amended under heading "Inside the United States" in section 101, as follows: 78 Stat. 341.

(1) Under the subheading "Continental Army Command (Military District of Washington, District of Columbia)", with respect to "Fort Myer, Virginia" strike out "$4,052,000" and insert in place thereof "$4,524,000."

(2) Under the subheading "United States Army Materiel Command (United States Army Weapons Command)" with respect to "Watervliet Arsenal, New York" strike out "$77,000" and insert in place thereof "$161,000".

(3) Under the subheading "United States Military Academy, West Point, New York" strike out "$20,578,000" and insert in place thereof "$27,997,000."

(4) Under the subheading "Army Security Agency" with respect to "Two Rock Ranch Station, California," strike out "$1,014,000" and insert in place thereof "$1,210,000."

(b) Public Law 88-390 is amended by striking out in clause (1) of section 602 "$241,526,000", and "$292,587,000," and inserting "$249,697,000", and "$300,758,000", 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: Navy.

INSIDE THE UNITED STATES

BUREAU OF SHIPS FACILITIES

(Naval Shipyards)

Naval Shipyard, Boston, Massachusetts: Maintenance facilities, and utilities, $5,105,000.

Naval Shipyard, Bremerton, Washington: Maintenance facilities, troop housing and community facilities, and ground improvements, $1,692,000.

Naval Shipyard, Charleston, South Carolina: Maintenance facilities, $5,917,000.

Naval Shipyard, Long Beach, California: Operational facilities, maintenance facilities, and utilities, $2,931,000.

Naval Shipyard, Mare Island, California: Maintenance facilities, and utilities, $1,129,000.

Naval Shipyard, Norfolk, Virginia: Maintenance facilities, and utilities, $2,703,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, and maintenance facilities, $3,591,000.

Naval Shipyard, Philadelphia, Pennsylvania: Maintenance facilities, and supply facilities, $3,487,000.

Naval Shipyard, Portsmouth, New Hampshire: Maintenance facilities, $998,000.

Naval Shipyard, San Francisco, California: Maintenance facilities, $450,000.

(Fleet Support Stations)

Headquarters, Commander in Chief, Atlantic Fleet, Norfolk, Virginia: Troop housing, $873,000.

Naval Inshore Undersea Warfare Group, Norfolk, Virginia: Utilities, $216,000.

(Research, Development, Test and Evaluation Stations)

Navy Mine Defense Laboratory, Panama City, Florida: Supply facilities, $97,000.

FLEET BASE FACILITIES

Naval Station, Charleston, South Carolina: Operational facilities, and troop housing $765,000.

Naval Amphibious Base, Coronado, California: Maintenance facilities, $396,000.

Naval Command Systems Support Activity, District of Columbia: Administrative facilities, $643,000.

Naval Station, Key West, Florida: Supply facilities, and medical facilities, $1,293,000.

Naval Station, Long Beach, California: Troop housing and utilities, $2,319,000.

Naval Submarine Base, New London, Connecticut: Troop housing and community facilities, and utilities, $2,350,000.

Naval Station, Newport, Rhode Island: Maintenance facilities, and troop housing, $2,112,000.

Naval Station, Norfolk, Virginia: Operational facilities and community facilities, $2,133,000.

Naval Station, Pearl Harbor, Oahu, Hawaii: Administrative facilities, and troop housing, $670,000.

Naval Submarine Base, Pearl Harbor, Oahu, Hawaii: Operational housing, $271,000.

Naval Station, San Diego, California: Operational facilities, troop housing, and utilities, $4,508,000.

Naval Station, Treasure Island, California: Administrative facilities, medical facilities, troop housing and community facilities, and utilities and ground improvements, $1,856,000.

NAVAL WEAPONS FACILITIES

(Naval Air Training Stations)

Naval Auxiliary Air Station, Chase Field, Texas: Operational facilities, and utilities, $152,000.

Naval Air Station, Corpus Christi, Texas: Real estate, $184,000.

Naval Auxiliary Landing Field, Ellyson Field, Florida: Operational facilities, troop housing, and utilities, $1,530,000.

Naval Air Station, Glynco, Georgia: Operational facilities, and troop housing, $637,000.

Naval Auxiliary Air Station, Kingsville, Texas: Operational facilities, troop housing, and utilities, $557,000.

Naval Air Station, Memphis, Tennessee: Training facilities, and troop housing, $5,792,000.

Naval Air Station, Pensacola, Florida: Maintenance facilities, administrative facilities, and utilities, $2,263,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Training facilities, $664,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Troop housing, and utilities, $1,355,000.

(Field Support Stations)

Naval Station, Adak, Alaska: Operational facilities, maintenance facilities, administrative facilities, and utilities, $5,000,000.

Naval Air Station, Alameda, California: Operational facilities, and troop housing, $784,000.

Naval Air Station, Barbers Point, Oahu, Hawaii: Troop housing and community facilities, $521,000.

Naval Air Station, Brunswick, Maine: Operational facilities, $161,000.

Naval Air Station, Cecil Field, Florida: Maintenance facilities, and administrative facilities, $1,124,000.

Naval Air Facility, El Centro, California: Operational facilities, $400,000.

Naval Auxiliary Air Station, Fallon, Nevada: Administrative facilities, and community facilities, $441,000.

Naval Air Station, Jacksonville, Florida: Operational facilities, maintenance facilities, troop housing, and utilities, $11,595,000.

Pacific Fleet Tactical Range, Kauai, Hawaii: Operational facilities, troop housing, and utilities, $1,878,000.

Naval Air Station, Key West, Florida: Operational facilities, and troop housing, $834,000.

Naval Air Station, Lakehurst, New Jersey: Training facilities, $199,000.

Naval Air Station, Lemoore, California: Training facilities, $990,000.

Naval Station, Mayport, Florida: Operational facilities, and utilities and ground improvements, $892,000.

Naval Air Station, Miramar, California: Operational facilities, maintenance facilities, and administrative facilities, $914,000.

Naval Air Station, Moffett Field, California: Operational facilities, $476,000.

Naval Air Station, Norfolk, Virginia: Maintenance facilities, and troop housing, $2,774,000.

Naval Air Station, North Island, California: Troop housing, and utilities, $853,000.

Naval Air Station, Oceana, Virginia: Operational facilities, maintenance facilities, and troop housing, $5,482,000.

Naval Air Station, Quonset Point, Rhode Island: Operational facilities, and community facilities, $509,000.

Naval Auxiliary Air Station, Ream Field, California: Troop housing, $2,024,000.

Naval Air Station, Sanford, Florida: Operational facilities, maintenance facilities, troop housing, utilities, and real estate, $7,249,000.

Naval Air Station, Whidbey Island, Washington: Operational and training facilities, maintenance facilities, and troop housing, $3,754,000.

(Marine Corps Air Station)

Marine Corps Air Station, Beaufort, South Carolina: Operational and training facilities, maintenance facilities, and utilities, $2,773,000.

Marine Corps Auxiliary Landing Field, Camp Pendleton, California: Operational facilities, $264,000.

Marine Corps Air Station, Cherry Point, North Carolina: Operational facilities, supply facilities, and troop housing, $4,569,000.

Marine Corps Air Station, El Toro, California: Operational facilities, supply facilities, and utilities, $659,000.

Marine Corps Air Facility, New River, North Carolina: Operational facilities, maintenance facilities, medical facilities, and troop housing, $2,587,000.

Marine Corps Air Facility, Santa Ana, California: Operational facilities, and troop housing, $2,483,000.

Marine Corps Air Station, Yuma, Arizona: Operational facilities, supply facilities, and utilities, $619,000.

(Fleet Readiness Stations)

Naval Ammunition Depot, Charleston, South Carolina: Medical facilities, administrative facilities, community facilities, and utilities, $1,355,000.

Naval Weapons Station, Concord, California: Maintenance facilities, and utilities, $609,000.

Naval Ammunition Depot, Oahu, Hawaii: Operational facilities, and troop housing $597,000.

Naval Weapons Station, Seal Beach, California: Maintenance facilities, $100,000.

Naval Weapons Station, Yorktown, Virginia: Real estate, $75,000.

(Research, Development, Test and Evaluation Stations)

Naval Ordnance Test Station, China Lake, California: Operational facilities, and research, development and test facilities, $495,000.

Naval Parachute Facility, El Centro, California: Research, development and test facilities, and real estate, $2,300,000.

Naval Air Engineering Center, Philadelphia, Pennsylvania: Utilities, $155,000.

Pacific Missile Range, Point Mugu, California: Maintenance facilities, and research, development and test facilities; and, on San Nicolas Island, operational facilities, and troop housing, $2,480,000.

SUPPLY FACILITIES

Naval Supply Depot, Newport, Rhode Island: Operational facilities, $726,000.

Naval Supply Center, Oakland, California: Administrative facilities, $590,000.

MARINE CORPS FACILITIES

Marine Corps Supply Center, Barstow, California: Supply facilities, $200,000.

Marine Corps Base, Camp Lejeune, North Carolina: Training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,126,000.

Marine Corps Base, Camp Pendleton, California: Training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $8,487,000.

Marine Corps Base, Twentynine Palms, California: Training facilities, $2,912,000.

SERVICE SCHOOL FACILITIES

Naval Academy, Annapolis, Maryland: Training facilities, and utilities and ground improvements, $9,532,000.

Naval Training Center, Great Lakes, Illinois: Training facilities, troop housing and community facilities, $11,457,000.

Naval Schools Command, Mare Island, California: Troop housing, $432,000.

Naval Postgraduate School, Monterey, California: Training facilities, $2,140,000.

Officer Candidate School, Newport, Rhode Island: Training facilities, $3,000,000.

Fleet Training Center, Norfolk, Virginia: Training facilities, $2,221,000.

Naval Schools Command, Norfolk, Virginia: Training facilities, $566,000.

Fleet Anti-Submarine Warfare School, San Diego, California: Troop housing, $1,212,000.

Naval Training Center, San Diego, California: Training facilities, and troop housing, $10,306,000.

Naval Schools Command, Treasure Island, California: Troop housing, $3,302,000.

MEDICAL FACILITIES

National Naval Medical Center, Bethesda, Maryland: Troop housing, $800,000.

Naval Hospital, Charleston, South Carolina: Troop housing, $353,000.

Naval Hospital Corps School, Great Lakes, Illinois: Troop housing, $1,696,000.

Naval Hospital, Newport, Rhode Island: Hospital and medical facilities, $4,736,000.

Naval Dispensary and Dental Clinic, Pearl Harbor, Oahu, Hawaii: Medical facilities, $2,800,000.

Naval Hospital, Philadelphia, Pennsylvania: Troop housing, $315,000.

Naval Hospital, Saint Albans, New York: Troop housing, $718,000.

Naval Hospital, San Diego, California: Medical facilities, $1,433,000.

COMMUNICATION FACILITIES

Naval Communication Station, Adak, Alaska: Operational facilities, and supply facilities, $303,000.

Naval Radio Station, Mount Moffett, Adak, Alaska: Operational facilities, $1,185,000.

Naval Autodin Facility, Albany, Georgia: Operational facilities, $313,000.

Naval Radio Station, Annapolis, Maryland: Troop housing, $86,000.

National Naval Reserve Master Control Radio Station, Arlington, Virginia: Operational facilities, $40,000.

Naval Communication Station, San Francisco (Stockton), California: Administrative facilities, and troop housing, $518,000.

Naval Autodin Facility, Syracuse, New York: Operational facilities, $45,000.

Naval Communication Station, Wahiawa, Oahu, Hawaii: Operational facilities, supply facilities, troop housing, and utilities, $1,248,000.

Various locations: Utilities, $2,000,000.

OFFICE OF NAVAL RESEARCH FACILITIES

Naval Research Laboratory, District of Columbia: Research, development and test facilities, and utilities, $5,560,000.

Naval Training Device Center, Orlando, Florida: Research, development and test facilities, $851,000.

YARDS AND DOCKS FACILITIES

Naval Construction Battalion Center, Davisville, Rhode Island: Training facilities, community facilities, and real estate, $774,000.

Navy Public Works Center, Newport, Rhode Island: Utilities, $390,000.

Navy Public Works Center, Norfolk, Virginia: Operational facilities, and utilities, $1,868,000.

Navy Public Works Center, Pearl Harbor, Oahu, Hawaii: Maintenance facilities, $130,000.

Naval Construction Battalion Center, Port Hueneme, California: Troop housing, $893,000.

OUTSIDE THE UNITED STATES

FLEET BASE FACILITIES

Naval Station, Guantanamo Bay, Cuba: Operational facilities, $187,000.

Fleet Activities, Ryukyus, Okinawa: Troop housing, $1,287,000.

Headquarters Support Activity, Taipei, Republic of China: Administrative facilities, $199,000.

NAVAL WEAPONS FACILITIES

Naval Air Station, Agana, Guam: Maintenance facilities, and medical facilities, $138,000.

Naval Air Station, Atsugi, Japan: Operational facilities, $2,047,000.

Naval Air Station, Cubi Point, Republic of the Philippines: Maintenance facilities, and community facilities, $331,000.

Marine Corps Air Facility, Futema, Okinawa: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities and ground improvements, $1,499,000.

Marine Corps Air Station, Iwakuni, Japan: Operational facilities, and troop housing, $639,000.

Naval Air Facility, Naha, Okinawa: Administrative facilities, and troop housing, $497,000.

Naval Station, Roosevelt Roads, Puerto Rico: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,986,000.

Naval Station, Rota, Spain: Operational facilities, maintenance facilities, troop housing and community facilities, and utilities, $5,616,000.

SUPPLY FACILITIES

Naval Supply Depot, Subic Bay, Republic of the Philippines: Administrative facilities, $120,000.

MARINE CORPS FACILITIES

Camp Smedley D. Butler, Okinawa: Training facilities, maintenance facilities, administrative facilities, and community facilities, $841,000.

COMMUNICATION FACILITIES

Naval Radio Station, Barrigada, Guam: Operational facilities, $526,000.

Naval Communication Station, Finegayan, Guam: Operational facilities, and troop housing, $1,701,000.

Naval Radio Station, Fort Allen, Puerto Rico: Operational facilities, and troop housing, $94,000.

Naval Radio Station, Isabela, Puerto Rico: Operational facilities and real estate, $1,237,000.

Naval Communication Station, Londonderry, Northern Ireland: Operational facilities, and troop housing and community facilities, $1,364,000.

Naval Radio Station, Sabana Seca, Puerto Rico: Community facilities, $603,000.

Naval Communication Station, San Miguel, Republic of the Philippines: Operational facilities, $563,000.

Naval Radio Station, Summit, Canal Zone: Operational facilities and troop housing and community facilities, $383,000.

Various locations: Utilities, $4,500,000.

YARDS AND DOCKS FACILITIES

Navy Public Works Center, Subic Bay, Republic of the Philippines: Utilities, $2,078,000.

Establishment of classified installations.

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 $41,099,000.

Construction for unforeseen requirements.

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, 1966, 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 congressional committees.

TITLE III

Air Force.

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:

INSIDE THE UNITED STATES

AIR DEFENSE COMMAND

Ent Air Force Base, Colorado Springs, Colorado: Operational facilities, maintenance facilities, and troop housing, $1,767,000.

Hamilton Air Force Base, San Rafael, California: Operational facilities and troop housing, $1,297,000.

Kincheloe Air Force Base, Sault Sainte Marie, Michigan: Operational facilities, supply facilities, and community facilities, $189,000.

Kingsley Field, Klamath Falls, Oregon: Operational facilities and maintenance facilities, $258,000.

McChord Air Force Base, Tacoma, Washington: Operational and training facilities, maintenance facilities, medical facilities, and troop housing and community facilities, $3,736,000.

Otis Air Force Base, Falmouth, Massachusetts: Maintenance facilities, $700,000.

Richards-Gebaur Air Force Base, Kansas City, Missouri: Maintenance facilities, $104,000.

Selfridge Air Force Base, Mount Clemens, Michigan: Operational facilities and maintenance facilities, $117,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities, $414,000.

Suffolk County Air Force Base, Westhampton Beach, New York: Operational facilities and community facilities, $294,000.

Tyndall Air Force Base, Panama City, Florida: Operational and training facilities, supply facilities, and troop housing, $2,991,000.

AIR FORCE ACCOUNTING AND FINANCE CENTER

Air Force Accounting and Finance Center, Denver, Colorado: Administrative facilities and utilities, $225,000.

AIR FORCE LOGISTICS COMMAND

Griffiss Air Force Base, Rome, New York: Operational facilities and research, development, and test facilities, $1,890,000.

Hill Air Force Base, Ogden, Utah: Maintenance facilities, supply facilities, administrative facilities, and community facilities, $6,258,000.

Kelly Air Force Base, San Antonio, Texas: Operational facilities, maintenance facilities, administrative facilities, and troop housing and community facilities, $5,759,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, administrative facilities, troop housing and community facilities, and utilities, $4,655,000.

Newark Air Force Station, Newark, Ohio: Utilities, $181,000.

Robins Air Force Base, Macon, Georgia: Operational facilities, maintenance facilities, administrative facilities, troop housing, and community facilities, and utilities, $6,983,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities, maintenance facilities, administrative facilities, and community facilities, $7,314,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Research, development, and test facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $12,319,000.

AIR FORCE SYSTEMS COMMAND

Brooks Air Force Base, San Antonio, Texas: Operational facilities, research, development, and test facilities, and troop housing, $588,000.

Edwards Air Force Base, Muroc, California: Research, development, and test facilities, hospital facilities, and utilities, $2,897,000.

Eglin Air Force Base, Valparaiso, Florida: Operational facilities, maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $2,684,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, research, development, and test facilities, supply facilities, administrative facilities, and troop housing and community facilities, $2,526,000.

Kirtland Air Force Base, Albuquerque, New Mexico: Research, development, and test facilities and community facilities, $1,517,000.

Patrick Air Force Base, Cocoa, Florida: Administrative facilities, community facilities, and utilities, $431,000.

Various locations, Eastern Test Range: Troop housing, and utilities, $415,000.

AIR TRAINING COMMAND

Buckley Air Force Base, Aurora, Colorado: Operational facilities, medical facilities, and utilities, $106,000.

Chanute Air Force Base, Rantoul, Illinois: Training facilities, troop housing, and utilities, $5,442,000.

Craig Air Force Base, Selma, Alabama: Maintenance facilities, troop housing and community facilities, and utilities, $1,781,000.

Keesler Air Force Base, Biloxi, Mississippi: Training facilities, administrative facilities, and community facilities, $3,567,000.

Lackland Air Force Base, San Antonio, Texas: Training facilities, troop housing and community facilities, and utilities, $5,510,000.

Laredo Air Force Base, Laredo, Texas: Operational facilities, maintenance facilities, and troop housing and community facilities, $1,852,000.

Laughlin Air Force Base, Del Rio, Texas: Troop housing and community facilities, $866,000.

Lowry Air Force Base, Denver, Colorado: Community facilities, $352,000.

Mather Air Force Base, Sacramento, California: Training facilities, maintenance facilities, and troop housing and community facilities, $2,933,000.

Moody Air Force Base, Valdosta, Georgia: Operational and training facilities, supply facilities, troop housing and community facilities, and utilities, $1,782,000.

Randolph Air Force Base, San Antonio, Texas: Maintenance facilities and troop housing, $651,000.

Reese Air Force Base, Lubbock, Texas: Training facilities, troop housing and community facilities, and utilities, $1,533,000.

Sheppard Air Force Base, Wichita Falls, Texas: Training facilities, maintenance facilities, troop housing and community facilities, and utilities, $4,319,000.

Vance Air Force Base, Enid, Oklahoma: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,653,000.

Webb Air Force Base, Big Spring, Texas: Training facilities, supply facilities, and troop housing and community facilities, $1,342,000.

Williams Air Base, Chandler, Arizona: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $2,920,000.

AIR UNIVERSITY

Gunter Air Force Base, Montgomery, Alabama: Troop housing and utilities, $741,000.

Maxwell Air Force Base, Montgomery, Alabama: Troop housing, $770,000.

ALASKAN AIR COMMAND

Eielson Air Force Base, Fairbanks, Alaska: Operational facilities and supply facilities, $601,000.

Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities, supply facilities, administrative facilities, community facilities, and utilities, $3,640,000.

Galena Airport, Galena, Alaska: Supply facilities, $374,000.

King Salmon Airport, Naknek, Alaska: Community facilities, $288,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $7,837,000.

HEADQUARTERS COMMAND

Andrews Air Force Base, Camp Springs, Maryland: Supply facilities, administrative facilities, troop housing and community facilities, and utilities, $2,923,000.

MILITARY AIR TRANSPORT SERVICE

Charleston Air Force Base, Charleston, South Carolina: Operational facilities, maintenance facilities, supply facilities, troop housing, and real estate, $3,349,000.

Dover Air Force Base, Dover, Delaware: Training facilities and maintenance facilities, $1,180,000.

McGuire Air Force Base, Wrightstown, New Jersey: Maintenance facilities and utilities, $2,094,000.

Scott Air Force Base, Belleville, Illinois: Administrative facilities, troop housing and utilities, $2,240,000.

Travis Air Force Base, Fairfield, California: Operational and training facilities, maintenance facilities, medical facilities, and community facilities, $3,319,000.

PACIFIC AIR FORCE

Hickam Air Force Base, Honolulu, Hawaii: Operational facilities, maintenance facilities, and troop housing and community facilities, $3,315,000.

Wheeler Air Force Base, Wahiawa, Hawaii: Community facilities, $396,000.

STRATEGIC AIR COMMAND

Altus Air Force Base, Altus, Oklahoma: Operational facilities, $46,000.

Barksdale Air Force Base, Shreveport, Louisiana: Operational facilities, maintenance facilities, supply facilities, and troop housing, $3,015,000.

Beale Air Force Base, Marysville, California: Hospital facilities, community facilities, and utilities, $1,839,000.

Blytheville Air Force Base, Blytheville, Arkansas: Operational facilities, maintenance facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $1,792,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, hospital facilities, and community facilities, $1,785,000.

Carswell Air Force Base, Fort Worth, Texas: Operational facilities and troop housing, $662,000.

Castle Air Force Base, Merced, California: Community facilities, $49,000.

Columbus Air Force Base, Columbus, Mississippi: Operational facilities and community facilities, $306,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Supply facilities, hospital facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements, $4,235,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Community facilities, $426,000.

Fairchild Air Force Base, Spokane, Washington: Community facilities, $187,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming: Community facilities, $263,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Troop housing and community facilities, and utilities, $4,453,000.

Homestead Air Force Base, Homestead, Florida: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,908,000.

K. I. Sawyer Municipal Airport, Marquette, Michigan: Operational facilities and supply facilities, $148,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities and troop housing, $1,169,000.

Lockbourne Air Force Base, Columbus, Ohio: Community facilities, $565,000.

Malmstrom Air Force Base, Great Falls, Montana: Troop housing and utilities, $577,000.

March Air Force Base, Riverside, California: Operational facilities, maintenance facilities, and troop housing, $3,051,000.

McCoy Air Force Base, Orlando, Florida: Troop housing, $40,000.

Minot Air Force Base, Minot, North Dakota: Operational facilities and maintenance facilities, $109,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Maintenance facilities and troop housing, $171,000.

Offutt Air Force Base, Omaha, Nebraska: Training facilities and utilities, $389,000.

Plattsburgh Air Force Base, Plattsburgh, New York: Maintenance facilities, $126,000.

Turner Air Force Base, Albany, Georgia: Maintenance facilities, hospital facilities, and troop housing and community facilities, $4,643,000.

Vandenberg Air Force Base, Lampoc, California: Operational facilities, supply facilities, community facilities, and utilities, $691,000.

Walker Air Force Base, Roswell, New Mexico: Community facilities, $796,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Supply facilities, $298,000.

Whiteman Air Force Base, Knob Noster, Missouri: Community facilities, $218,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities, $45,000.

TACTICAL AIR COMMAND

Cannon Air Force Base, Clovis, New Mexico: Operational and training facilities, administrative facilities, and troop housing, $1,823,000.

England Air Force Base, Alexandria, Louisiana: Operational facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $2,085,000.

George Air Force Base, Victorville, California: Operational and training facilities, maintenance facilities, administrative facilities, and community facilities, $2,483,000.

Langley Air Force Base, Hampton, Virginia: Operational facilities, administrative facilities, and troop housing and community facilities, $3,696,000.

Luke Air Force Base, Phoenix, Arizona: Maintenance facilities, administrative facilities, and troop housing and community facilities, $774,000.

MacDill Air Force Base, Tampa, Florida: Operational facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing and community facilities, $9,279,000.

McConnell Air Force Base, Wichita, Kansas: Operational facilities, medical facilities, and community facilities, $755,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational and training facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, ground improvements and real estate, $1,639,000.

Nellis Air Force Base, Las Vegas, Nevada: Operational facilities and supply facilities, $1,636,000.

Pope Air Force Base, Fort Bragg, North Carolina: Operational facilities, medical facilities, administrative facilities, and troop housing and community facilities, $2,560,000.

Shaw Air Force Base, Sumter, South Carolina: Operational facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $1,189,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado Springs, Colorado: Training facilities, $8,872,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Goodfellow Air Force Base, San Angelo, Texas: Troop housing, $275,000.

AIRCRAFT CONTROL AND WARNING SYSTEM

Various locations: Maintenance facilities, troop housing, and utilities, $1,377,000.

OUTSIDE THE UNITED STATES

AIR DEFENSE COMMAND

Various locations: Maintenance facilities, troop housing and community facilities, and utilities, $970,000.

MILITARY AIR TRANSPORT SERVICE

Wake Island Air Force Station, Wake Island: Supply facilities, troop housing and utilities, $1,391,000.

Various locations: Maintenance facilities and medical facilities, $953,000.

PACIFIC AIR FORCE

Various locations: Operational facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $21,935,000.

STRATEGIC AIR COMMAND

Various locations: Utilities, $335,000.

UNITED STATES AIR FORCES IN EUROPE

Various locations: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $12,002,000.

UNITED STATES AIR FORCE SOUTHERN COMMAND

Howard Air Force Base, Canal Zone: Operational facilities, maintenance facilities, supply facilities, and community facilities, $1,686,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Various locations: Operational facilities, supply facilities, medical facilities, community facilities, and utilities, $3,411,000.

Establishment of classified installations.

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 $71,063,000.

Construction for unforeseen requirements.

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, 1966, 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 congressional committees.

SEC. 304. (a) Public Law 88-174, as amended is amended in section 301 under the heading "Inside the United States" as follows:

77 Stat. 318.

(1) Under the subheading "Air Force Systems Command", with respect to Sacramento Peak Upper Air Research Site, Alamogordo, New Mexico, by striking out "$2,889,000" and inserting in place thereof "$3,167,000".

(2) Under the subheading "Strategic Air Command", with respect to March Air Force Base, Riverside, California, by striking out "$186,000" and inserting in place thereof "$255,000".

78 Stat. 357.

(b) Public Law 88-174, as amended, is amended by striking out in clause (3) of section 602 the amounts of "$161,940,000" and "$491,622,000" and inserting in place thereof "$162,287,000" and "$491,969,000", respectively.

TITLE IV

Defense agencies.

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

Sandia Base, Albuquerque, New Mexico: Utilities, $188,000.
Clarksville Base, Clarksville, Tennessee: Troop housing, $36,000.
Killeen Base, Killeen, Texas: Troop housing, $45,000.

DEFENSE INTELLIGENCE AGENCY

Arlington Hall Station, Arlington, Virginia: Operational and training facilities, $17,900,000.

DEFENSE SUPPLY AGENCY

Defense Construction Supply Center, Columbus, Ohio: Maintenance facilities and supply facilities, $301,000.
Defense Depot, Memphis, Tennessee: Supply facilities, $266,000.
Defense Depot, Ogden, Utah: Supply facilities, $329,000.
Defense Clothing and Textile Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $950,000.
Defense Industrial Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $255,000.

NATIONAL SECURITY AGENCY

Fort Meade, Maryland: Operational facilities and production facilities, $6,075,000.

OFFICE OF SECRETARY OF DEFENSE

Armed Forces Radio and Television Service, Los Angeles, California: Operational facilities, $18,000.

OUTSIDE THE UNITED STATES

DEFENSE ATOMIC SUPPORT AGENCY

Johnston Island Air Force Base: Research, development and test facilities, $3,688,000.

Establishment of advanced research installations.

SEC. 402. The Secretary of Defense may establish or develop installations and facilities required for advanced research projects and in connection therewith may 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 $20,000,000.

Establishment of security installations.

SEC. 403. 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 $50,000,000: *Provided*, That the Secretary of Defense, 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.

Notification of congressional committees.

TITLE V

MILITARY FAMILY HOUSING

SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities, in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Administrator, Housing and Home Finance Agency, as to the availability of adequate private housing at such locations. If the Secretary and the Administrator are unable to reach agreement with respect to the availability of adequate private housing at any location, the Secretary shall immediately notify the Committees on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

Family housing facilities.

Notification of congressional committees.

(a) Family housing units for—

(1) The Department of the Army, two thousand and fifty units, $39,864,000:

Army.

Presidio of San Francisco, California, one hundred and fifty units.

Fort Benning, Georgia, three hundred units.

Fort Leavenworth, Kansas, fifty units.

Fort Meade, Maryland, three hundred and forty units.

Fort Monmouth, New Jersey, one hundred units.

United States Military Academy, West Point, New York, two hundred units.

Fort Jackson, South Carolina, one hundred and eighty units.

Fort Monroe, Virginia, fifty units.

Atlantic Side, Canal Zone, one hundred units.

Pacific Side, Canal Zone, three hundred units.

Fort Buckner, Okinawa, two hundred and eighty units.

(2) The Department of the Navy, four thousand five hundred and forty units, $79,950,000:

Navy.

Marine Corps Supply Center, Barstow, California, fifty-two units.

Marine Corps Air Station, El Toro, California, two hundred and fifty units.

Naval Complex, Long Beach, California, two hundred units.

Naval Post Graduate School, Monterey, California, two hundred and eight units.

Naval Complex, East Bay, San Francisco, California, four hundred units.

Naval Complex, South Bay, San Francisco, California, three hundred units.

Naval Complex, West Bay, San Francisco, California, three hundred units.

Naval Base, Key West, Florida, four hundred units.

Naval Air Station, Pensacola, Florida, two hundred and fifty units.

United States Navy installations, Oahu, Hawaii, three hundred units.

Naval Training Center, Great Lakes, Illinois, two hundred units.

Naval Base, Newport, Rhode Island, two hundred units.

Naval Air Station, Quonset Point, Rhode Island, two hundred units.

Naval Air Station, Corpus Christi, Texas, three hundred and fifty units.

Naval Complex, Norfolk, Virginia, five hundred units.

Marine Corps Schools, Quantico, Virginia, one hundred units.

Naval Station, Keflavik, Iceland, one hundred and fifty units.

Naval Complex, Naha, Okinawa, forty units.

Naval Station, Sangley Point, Republic of Philippines, one hundred and forty units.

Air Force.

(3) The Department of the Air Force, four thousand five hundred and ninety units, $85,770,000:

Eielson Air Force Base, Alaska, two hundred units.

Elmendorf Air Force Base, Alaska, two hundred units.

Beale Air Force Base, California, three hundred units.

Vandenberg Air Force Base, California, three hundred units.

Ent Air Force Base, Colorado, forty-nine units.

Eglin Air Force Base, Florida, three hundred units.

United States Air Force installations, Oahu, Hawaii, two hundred and fifty units.

Scott Air Force Base, Illinois, one hundred and fifty units.

England Air Force Base, Louisiana, three hundred and fifty units.

Andrews Air Force Base, Maryland, two hundred and fifty units.

Keesler Air Force Base, Mississippi, one hundred units.

Nellis Air Force Base, Nevada, one unit.

Cannon Air Force Base, New Mexico, one hundred and fifty units.

Langley Air Force Base, Virginia, one hundred units.

F. E. Warren Air Force Base, Wyoming, one hundred units.

Pacific Side, Canal Zone, two hundred and fifty units.

Andersen Air Force Base, Guam, two hundred units.

Goose Air Base, Newfoundland, Canada, one hundred units.

Kadena Air Base, Okinawa, two hundred units.

Naha Air Base, Okinawa, one hundred and seventy units.

Clark Air Base, Republic of Philippines, four hundred units.

Site 4-S, seventy units.

Site 6-S, two hundred units.

Site QC, two hundred units.

(b) Trailer court facilities for:

(1) The Department of the Navy, 200 spaces, $360,000.

(2) The Department of the Air Force, 400 spaces, $720,000.

Cost limitations.

SEC. 502. Authorizations for the construction of family housing provided in this Act shall be subject to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures:

(a) The cost per unit of family housing constructed in the United States (other than Hawaii and Alaska) and Puerto Rico shall not exceed—

$24,000 for general officers or equivalent;

$19,800 for colonels or equivalent;

$17,600 for majors and/or lieutenant colonels or equivalent;

$15,400 for all other commissioned or warrant officer personnel or equivalent, except that four-bedroom housing units authorized by sections 4774(g), 7574(e), and 9774(g) of title 10, United States Code, may be constructed at a cost not to exceed $17,000;

76 Stat. 239.

$13,200 for enlisted personnel, except that four-bedroom housing units authorized by sections 4774(f), 7574(d), and 9774(f) of title 10, United States Code, may be constructed at a cost not to exceed $15,000.

(b) When family housing units are constructed in areas other than those listed in subsection (a), the average cost of all such units, in any project of fifty units or more, shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000.

(c) The cost limitations provided in subsections (a) and (b) shall be applied to the five-foot line.

(d) For all units constructed in the areas listed in subsection (a), exclusive of the project for the United States Military Academy at West Point, the average unit cost for each military department shall not exceed $17,500, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(e) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $28,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(f) Units constructed at the United States Military Academy, West Point, shall not be subject to the limitations of subsections (a) through (e) of this section, but the average cost of such units shall not exceed $36,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

Alterations, etc., of quarters.

SEC. 503. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions, or extensions not otherwise authorized by law, to existing public quarters at a cost not to exceed—

(a) For the Department of the Army, $8,000,000.

(b) For the Department of the Navy, $5,000,000.

(c) For the Department of the Air Force, $4,800,000.

(d) For the Defense Agencies, $396,000.

Leasing of facilities.

78 Stat. 361. 10 USC 2674 note.

SEC. 504. Section 515 of Public Law 84-161 (69 Stat. 324, 352), as amended, is amended to read as follows:

"SEC. 515. During fiscal years 1966 through and including 1967, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military 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 of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military installations. Such housing facilities may be leased on an individual basis and not more than seven thousand such units may be so leased at any one time. Expenditures for the rental of such

housing facilities may not exceed an average of $160 a month for each military department, including the cost of utilities and maintenance and operation."

42 USC 1594k.

SEC. 505. Section 507 of Public Law 88-174 (77 Stat. 307, 326), is amended by deleting the figures "1964" and "1965", and inserting in lieu thereof the figures "1966" and "1967".

Relocation of housing units, authorization.

Notification of congressional committees.

SEC. 506. The Secretary of Defense or his designee is authorized to relocate 200 units of relocatable housing from Glasgow Air Force Base, Montana, to other military installations where there are housing shortages: *Provided*, That the Secretary of Defense shall notify the Committees on Armed Services of the House of Representatives and the Senate of the proposed new locations and estimated costs, and no contract shall be awarded within thirty days of such notification.

Appropriation.

SEC. 507. There is authorized to be appropriated for use by the Secretary of Defense or his designee for military family housing as authorized by law for the following purposes:

(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and planning, an amount not to exceed $195,589,000 and

(b) 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 $488,799,000.

68 Stat. 603.

Housing units, limitation.

SEC. 508. Notwithstanding the authorizations for the construction of family housing contained in section 501(a) of this Act, the total number of units of family housing which may be contracted for under authority of such section shall not exceed nine thousand five hundred units.

TITLE VI

GENERAL PROVISIONS

Land improvements, etc.

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.

70A Stat. 269, 590.

Appropriation.

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, $252,661,000, outside the United States, $7,391,000, section 102, $39,470,000, section 103, $10,000,000 or a total of $309,522,000.

(2) for title II: Inside the United States, $225,877,000, outside the United States, $34,436,000, section 202, $41,099,000, section 203, $10,000,000 or a total of $311,412,000.

(3) for title III: Inside the United States, $210,630,000, outside the United States, $42,683,000, section 302, $71,063,000, section 303, $10,000,000 or a total of $334,376,000.

(4) for title IV: A total of $100,051,000.

(5) for title V: Military family housing, a total of $684,388,000.

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.

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

70A Stat. 132.

(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 Bureau of Yards and Docks, Department of the Navy, unless the Secretary of Defense 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 Bureau of Yards and Docks, 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.

Repeals.

SEC. 606. (a) As of October 1, 1966, all authorizations for military public works (other than family housing) 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, that are contained in Acts

approved before August 2, 1964, and not superseded or otherwise modified by a later authorization are repealed except—

Exceptions.

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1966, and authorizations for appropriations therefor;

(3) notwithstanding the provisions of section 606 of the Act of August 1, 1964 (78 Stat. 341, 363), the authorization for the following items, which shall remain in effect until October 1, 1967:

(a) operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements in the amount of $611,000 at Fort Benning, Georgia, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 27, 1962 (76 Stat. 223).

(b) operational and training facilities, maintenance facilities, administrative facilities and utilities in the amount of $833,000 at Fort Bragg, North Carolina, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 27, 1962 (76 Stat. 223).

(c) operational and training facilities, troop housing and community facilities, and utilities in the amount of $4,241,000 at Fort Dix, New Jersey, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (First Army)" of the Act of November 7, 1963 (77 Stat. 307).

(d) training facilities in the amount of $290,000 at Fort Belvoir, Virginia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(e) operational facilities, maintenance facilities, medical facilities, administrative facilities, and utilities in the amount of $236,000 at Fort Knox, Kentucky, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(f) maintenance facilities in the amount of $449,000 at Fort Story, Virginia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(g) maintenance facilities, medical facilities, community facilities, and utilities in the amount of $512,000 at Fort Benning, Georgia, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(h) training facilities, maintenance facilities, supply facilities, medical facilities, troop housing and utilities in the amount of $1,836,000 at Fort Bragg, North Carolina, that is contained in title I, section 101 under heading "Inside the

United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(i) operational facilities, maintenance facilities, supply facilities, medical facilities, and administrative facilities in the amount of $553,000 at Fort Campbell, Kentucky, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(j) training facilities, troop housing and community facilities in the amount of $919,000 at Fort Irwin, California, that is contained in title I, section 101 under heading "Inside the United States" and subheading "Continental Army Command (Sixth Army)" of the Act of November 7, 1963 (77 Stat. 308).

(k) operational facilities, maintenance facilities, troop housing and utilities in the amount of $719,000 at various locations that is contained in title I, section 101 under heading "Inside the United States" and subheading "Army Component Commands (United States Army Air Defense Command)" of the Act of November 7, 1963 (77 Stat. 309).

(l) maintenance facilities in the amount of $1,498,000 at Fort Richardson, Alaska, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Alaska Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(m) maintenance facilities in the amount of $721,000 at Schofield Barracks, Hawaii, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Pacific Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(n) operational facilities, supply facilities, administrative facilities, troop housing, community facilities and utilities in the amount $968,000 at various locations that is contained in title I, section 101, under heading "Outside the United States" and subheading "Army Security Agency" of the Act of November 7, 1963 (77 Stat. 310).

(o) operational facilities, maintenance facilities, supply facilities, troop housing and utilities in the amount of $5,995,000 in Germany that is contained in title I, section 101 under the heading "Outside the United States" and subheading "Army Component Commands (European Command Area)" of the Act of November 7, 1963 (77 Stat. 310).

(p) operational facilities in the amount of $6,900,000 at various locations that is contained in title I, section 102 of the Act of November 7, 1963 (77 Stat. 310).

(q) training facilities in the amount of $7,600,000 for the Naval Academy, Annapolis, Maryland, that is contained in title II, section 201, under the heading "Service School Facilities" of the Act of November 7, 1963 (77 Stat. 314).

(r) administrative facilities in the amount of $3,484,000 for the Naval Research Laboratory, District of Columbia, that is contained in title II, section 201, under the heading "Office of Naval Research Facilities" of the Act of November 7, 1963 (77 Stat. 315).

(s) community facilities in the amount of $550,000 for Camp Smedley D. Butler, Okinawa, that is contained in title II, section 201, under the heading "Outside the United States" and subheading "Marine Corps Facilities" of the Act of November 7, 1963 (77 Stat. 315).

Repeals.

(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing which are contained in this Act or any Act approved prior to August 2, 1964, are repealed except (1) the authorization for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date, (2) the authorization for two hundred family housing units at a classified location contained in the Act of August 1, 1964 (78 Stat. 341, 359), and the authorization for 180 units at Site 4-S contained in the Act of August 1, 1964 (78 Stat. 341, 360).

Exceptions.

Retainment of certain lands.

SEC. 607. (a) It is the sense of Congress that all the land comprising the Bolling-Anacostia complex will be required for military purposes within the foreseeable future and should be retained by the Department of Defense for such use.

(b) Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.), the Housing Act of 1949, as amended (42 U.S.C. 1441 et seq.), the Act of June 8, 1960 (40 U.S.C. 2662), or any other law, no portion of the Bolling Air Force Base or the Anacostia Naval Air Station shall be determined excess to the needs of the holding agency or transferred, reassigned, or otherwise disposed of by such agency prior to July 1, 1967.

63 Stat. 377, 413.
74 Stat. 186.
10 USC 2662.

Fallout protection.

SEC. 608. (a) All construction under this Act 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.

Aerospace Corporation contracts.

SEC. 609. Every contract between the Secretary of the Air Force and the Aerospace Corporation shall prohibit the construction of any facility or the acquisition of any real property by the Aerospace Corporation unless such construction or acquisition has first been authorized to the Air Force by the Congress.

Obstetrical care facilities.

SEC. 610. Except in the case of hospitals authorized for construction under this or any previous Act, any military hospital hereafter constructed in the United States or its possessions shall include facilities for obstetrical care unless sound and specific justification is made by the Secretary concerned for omitting such facilities in any hospital authorized.

Closing of facilities, etc.
Report to congressional committees.

SEC. 611. (a) No camp, post, station, base, yard or other installation under the authority of the Department of Defense shall be closed or abandoned until after the expiration of thirty days from the date upon which a full report of the facts, including the justification for such proposed action, is submitted by the Secretary of Defense to the

Committees on Armed Services of the Senate and House of Representatives.

(b) 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.

Unit cost limitation.

SEC. 612. 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) $1,850 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.

77 Stat. 328.

SEC. 613. The last sentence of section 2674(a) of title 10, United States Code, as amended, is amended by changing the figure "$10,000" to "$15,000".

Citation of titles.

SEC. 614. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1966."

TITLE VII

RESERVE FORCES FACILITIES

Reserve Forces Facilities Authorization Act, 1966.
70A Stat. 120.
10 USC 2231-2238.

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 Department of the Army: Army National Guard of the United States, $9,200,000.

(2) for the Department of the Navy: Naval and Marine Corps Reserves, $8,890,000.

(3) for Department of the Air Force:

(a) Air National Guard of the United States, $9,000,000.

(b) Air Force Reserve, $3,400,000.

Land conveyance.

SEC. 702. The Secretary of the Navy is authorized to convey to the city of Little Rock, Arkansas, without consideration, all right, title, and interest in so much of the land and improvements comprising the Naval and Marine Corps Reserve Training Center, Little Rock, Arkansas, as is agreed to be required for a right-of-way for construction of a public highway, at such time as that portion of the land and improvements may no longer be required as a part of said training center.

Construction authority.
Waiver of restrictions.
70A Stat. 269, 590.

SEC. 703. 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 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.

Citation of title.

SEC. 704. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1966".

Approved September 16, 1965.

Public Law 89-189

September 17, 1965
[H. R. 727]

AN ACT
To provide for the administration of the Coast Guard Band.

Coast Guard Band, Administration. 77 Stat. 177.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 11 of title 14, United States Code, is amended—

(1) by adding the following new section after section 335:

"§ 336. United States Coast Guard Band; composition; director

"(a) The United States Coast Guard Band shall be composed of a director and other personnel in such numbers and grades as the Secretary determines to be necessary.

"(b) The Secretary shall designate the director from among qualified members of the Coast Guard. Upon the recommendation of the Secretary, a member so designated may be appointed by the President, by and with the advice and consent of the Senate, to a commissioned grade in the Regular Coast Guard.

"(c) The initial appointment to a commissioned grade of a member designated as director of the Coast Guard Band shall be in the grade of lieutenant (junior grade) or lieutenant.

"(d) A member who is designated and commissioned under this section shall not be included on the active duty promotion list. He shall be promoted under section 276 of this title. However, the grade of the director may not be higher than lieutenant commander.

"(e) The Secretary may revoke any designation as director of the Coast Guard Band. When a member's designation is revoked, his appointment to commissioned grade under this section terminates and he is entitled, at his option:

"(1) to be discharged from the Coast Guard; or

"(2) to revert to the grade and status he held at the time of his designation as director."; and

(2) by inserting the following new item in the analysis:

"336. United States Coast Guard Band; composition; director."

Band director. 76 Stat. 460.

SEC. 2. Section 207 of title 37, United States Code, is amended by adding at the end:

"(f) The director of the Coast Guard Band is entitled to the basic pay of an officer in the grade in which he is serving. However, his basic pay may not be less than that to which he was entitled at the time of his appointment as director."

SEC. 3. Section 424 of title 37, United States Code, is amended by adding at the end:

"(f) The director of the Coast Guard Band is entitled to the allowances of an officer in the grade in which he is serving. However, his allowances may not be less than those to which he was entitled at the time of his appointment as director."

Approved September 17, 1965.

Public Law 89-190

AN ACT

September 17, 1965
[S. 795]

To provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State.

Lummi Indian diking project lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indian trust or restricted lands within the limits of the Lummi Indian diking project as established by the Act of March 18, 1926 (44 Stat. 211), may be included in, and may be assessed for operation and maintenance, betterment, and construction by, any diking and drainage district that may be formed under the diking and drainage laws of the State of Washington: *Provided*, That such Indian lands shall be assessed on the same basis that all other lands within the district are assessed. Such assessment may be collected in accordance with the laws of the State of Washington, except that no Indian trust or restricted lands shall be sold for the collection of an assessment without the consent of the Secretary of the Interior. If the Secretary refuses to consent to such sale, he shall pay the assessment out of any appropriation or fund available therefor. Any portion of such payment which the Secretary determines to be within the ability of the Indian owner to pay shall become a lien against the land, subject to the provisions of the Act of July 1, 1932 (47 Stat. 564).

25 USC 386a.

Outstanding charges, cancellation.

SEC. 2. (a) The Secretary of the Interior shall cancel all outstanding charges for construction, operation, and maintenance, including any interest or penalties, outstanding on the date this section becomes effective.

Transfer of funds.

(b) All assessments against each tract of land within the project which on the date of this Act is in a trust or restricted status and which have heretofore been collected for construction, operation, and maintenance, including interest and penalties, and deposited in the Treasury shall be transferred on the books of the Treasury into an account that shall be available to the Secretary of the Interior to pay any assessments hereafter made against each such tract pursuant to this Act.

(c) The provisions of subsections (a) and (b) of this section shall become effective on the date of approval of the organization by the Whatcom County commissioners of the new diking and drainage district.

Operation and maintenance assessments.

(d) Operation and maintenance assessments shall continue to be made but their collection shall be suspended for not to exceed two years until the new diking and drainage district is formed. If the new district is formed within such two-year period such assessments shall be canceled. If the new district is not formed within such period the assessments shall be collected with interest and penalties thereafter accruing.

Conveyance.

SEC. 3. At such time as the diking and drainage district covering the Indian trust and restricted lands within the Lummi diking project shall be established under the laws of Washington and shall be in operation, the Government shall thereupon be relieved of any further responsibility of whatever nature in connection with the operation and maintenance, betterment, or construction of any dikes, structures, drains, or any appurtenant works existing on the Lummi diking project, including any responsibility for damages that may result from the failure of any dikes, drains, structures, or appurtenant works heretofore or hereafter constructed. Any equipment and funds standing to the credit of the Lummi diking project on the books of the Secretary of the Interior at such time shall be paid and turned over

to such diking and drainage district if the owners of nonrestricted lands in the new district contribute an amount equal to the value of such equipment and funds. Any right, title, or interest of the United States in and to any of the dikes or other structures erected as part of the Lummi diking project, and the lands on which they are located, shall be deemed to be conveyed to the county of Whatcom, State of Washington, for the use and benefit of such diking and drainage district on the date the district is organized. The Bureau of Indian Affairs is directed to make available to such diking and drainage district or to the county of Whatcom any information, data, or documents which may assist in its organization or operation.

Hunting and fishing rights.

SEC. 4. Nothing in this Act shall be construed to affect the Lummi Indians' hunting or fishing rights.

Approved September 17, 1965.

Public Law 89-191

September 17, 1965
[H. R. 725]

AN ACT

To clarify the responsibility for marking of obstructions in navigable waters.

Coast Guard.
63 Stat. 501.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 86 of title 14, United States Code, is amended to read as follows:

"§ 86. Marking of obstructions

"The Secretary may mark for the protection of navigation any sunken vessel or other obstruction existing on any navigable waters of the United States in such manner and for so long as, in his judgment, the needs of maritime navigation require. The owner of such an obstruction shall be liable to the United States for the cost of such marking until such time as the obstruction is removed or its abandonment legally established or until such earlier time as the Secretary may determine. All moneys received by the United States from the owners of obstructions, in accordance with this section, shall be covered into the Treasury of the United States as miscellaneous receipts. This section shall not be construed so as to relieve the owner of any such obstruction from the duty and responsibility suitably to mark the same and remove it as required by law."

Approved September 17, 1965.

Public Law 89-192

September 21, 1965
[S. J. Res. 89]

JOINT RESOLUTION

Extending for two years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune.

Mary McLeod Bethune memorial.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective June 1, 1965, the last sentence of the joint resolution entitled "Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune", approved June 1, 1960 (74 Stat. 154), is amended by striking out "within five years" and inserting in lieu thereof "within seven years".

Approved September 21, 1965.

Public Law 89-193

AN ACT

September 21, 1965
[H. R. 3039]

To amend section 1006 of title 37, United States Code, to authorize the Secretary concerned, under certain conditions, to make payment of pay and allowances to members of an armed force under his jurisdiction before the end of the pay period for which such payment is due.

Armed Forces.
Early payday, authorization.
76 Stat. 490.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1006 of title 37, United States Code, is amended by adding the following new subsection after subsection (f):

"(g) Notwithstanding section 529 of title 31, the Secretary concerned may, when the last day of the pay period falls on a Saturday, Sunday, or legal holiday, authorize the payment of pay and allowances to members of an armed force under his jurisdiction on the preceding workday but not more than three days before the last day of that pay period. If a member dies after he has received an advance payment under this subsection, but before the last day of the pay period for which the payment is made, no part of the amount so advanced is recoverable by the United States."

Approved September 21, 1965.

Public Law 89-194

AN ACT

September 21, 1965
[H. R. 5989]

To amend section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883).

Vessels.
Empty cargo vans, transportation.
49 Stat. 442.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27, Merchant Marine Act of 1920, as amended (46 U.S.C. 883), is further amended by striking out the period at the end thereof and inserting in lieu a colon and the following proviso: "*Provided further*, That upon such terms and conditions as the Secretary of the Treasury by regulation may prescribe, and, if the transporting vessel is of foreign registry, upon a finding by the Secretary of the Treasury, pursuant to information obtained and furnished by the Secretary of State, that the government of the nation of registry extends reciprocal privileges to vessels of the United States, this section shall not apply to the transportation of empty cargo vans, empty lift vans, and empty shipping tanks by vessels of the United States not qualified to engage in the coastwise trade, or by vessels of foreign registry, so long as such vans or tanks are owned or leased by the owner or operator of the transporting vessels and are being transported for use in the carriage of cargo in foreign trade."

Approved September 21, 1965.

Public Law 89-195

September 21, 1965
[S. 20]

AN ACT

To provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.

Assateague Island National Seashore, Md.-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 protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS-AI-7100A, November, 1964", which map shall be on file and available for public inspection in the offices of the Department of the Interior.

Acquisition of lands, etc.

SEC. 2. (a) Within the boundaries of the seashore, 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 in such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland in Worcester County, Maryland, for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland in Worcester County, Maryland, may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

Exchange of properties.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland in Worcester County, Maryland, 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, and which is located in Maryland or Virginia. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the properties exchanged.

Bridge acquisition.

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Assateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Assateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority, and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the

boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

Noncommercial residency and hunting.

(d) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes or for hunting purposes, as hereinafter provided, for a term that is not more than twenty-five years. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner: *Provided*, That such use and occupancy shall be subject to general rules and regulations established by the Secretary with respect to the outward appearance of any buildings on the lands involved. The term "improved property" as used in this Act shall mean (1) any single-family residence the construction of which was begun before January 1, 1964, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxent Bay, including the offshore bay islands adjacent thereto, that is used chiefly for hunting and continues in such use: *Provided*, That the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public use or public access thereto.

"Improved property."

Bridge construction costs.

Compensation to Maryland.

SEC. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than $1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such lands, or interests therein, on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes, and the Secretary is authorized and directed to convey or lease such lands, or interests therein, to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interests therein, and upon payments of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided*, That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost of the United States of such protection work.

Publication in Federal Register.

SEC. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island 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 the exterior

boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

Hunting and fishing provisions.

SEC. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, 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: *Provided*, That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore: *Provided further*, That nothing in this Act shall add to or limit the authority of the Federal Government in its administration of Federal laws regulating migratory waterfowl. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

Administration.

SEC. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for 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 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.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (Public Law 87-714; 76 Stat. 653).

16 USC 460k-460k-4.

Public accommodations.

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary shall select and set aside one or more parcels of land in Maryland having a suitable elevation in the area south of the island terminus of the Sandy Point-Assateague Island Bridge, the total of which shall not exceed six hundred acres, and the public use area on the Chincoteague National Wildlife Refuge now operated by the Chincoteague-Assateague Bridge and Beach Authority of the Commonwealth of Virginia, and shall provide or allow the provision of such land fill within the areas selected as he deems necessary to permit and protect permanent construction work thereon: *Provided*, That the United States shall not be liable for any damage that may be incurred by persons interested therein by reason of the inadequacy of the fill for the structures erected thereon.

Construction.

(b) Within the areas designated under subsection (a) of this section the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore under such terms and conditions as he deems necessary in the public interest and in accordance with the laws relating to concessions within the national park system.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States. Each privately constructed concession facility, whether within or outside of an area designated under subsection (a) of this section, shall be

mortgageable, taxable, and subject to foreclosure proceedings, all in accordance with the laws of the State in which it is located and the political subdivisions thereof.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

Beach erosion control, etc.

SEC. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

Road construction and maintenance.

SEC. 9. (a) The Secretary of the Interior is authorized and directed to construct and maintain a road from the Chincoteague-Assateague Island Bridge to the area in the wildlife refuge that he deems appropriate for recreation purposes.

(b) The Secretary of the Interior is authorized and directed to construct a road, and to acquire the necessary land and rights-of-way therefor, from the Chincoteague-Assateague Island Bridge to the Sandy Point-Assateague Bridge in such manner and in such location as he may select, giving proper consideration to the purpose for which the wildlife refuge was established and the other purposes intended to be accomplished by this Act.

SEC. 10. The Secretary of the Interior is authorized to purchase from a public utility any facilities of that utility which are no longer of value to it as a result of the establishment of the Assateague Island National Seashore and shall pay for such facilities an amount equal to the cost of constructing such facilities less depreciation.

Appropriation authorization.

SEC. 11. There are hereby authorized to be appropriated the sum of not more than $16,250,000 for the acquisition of lands and interests in land and such sums as may be necessary for the development of the area authorized under this Act.

Approved September 21, 1965.

Public Law 89-196

JOINT RESOLUTION

September 21, 1965
[S. J. Res. 102]

To authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

30 F. R. 9349.

Whereas the President by Executive Order 11236 on July 23, 1965, established the Commission on Law Enforcement and Administration of Justice to study crime in the United States and to recommend ways to reduce and prevent it; and

30 F. R. 9049.

Whereas the President by Executive Order 11234 on July 16, 1965, established the Commission on Crime in the District of Columbia to study the causes of crime and delinquency in the District of Columbia; and

Whereas there has been a steady increase in crime in the Nation as well as in the District of Columbia; and

Whereas there is a need to ascertain its causes and to develop methods

which can be undertaken by Federal, State, and local governments to combat such crime: Therefore be it

Crime commissions. Appropriation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $1,500,000 for the expenses of both the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

Approved September 21, 1965.

Public Law 89-197

September 22, 1965 [H. R. 8027]

AN ACT

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, and for other purposes.

Law Enforcement Assistance 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 "Law Enforcement Assistance Act of 1965."

State and local personnel. Training grants.

SEC. 2. For the purpose of improving the quality of State and local law enforcement and correctional personnel, and personnel employed or preparing for employment in programs for the prevention or control of crime, the Attorney General is authorized to make grants to, or to contract with, any public or private nonprofit agency, organization or institution for the establishment (or, where established, the improvement or enlargement) of programs and facilities to provide professional training and related education to such personnel.

State and local agencies. Grants for improvement projects.

SEC. 3. For the purpose of improving the capabilities, techniques, and practices of State and local agencies engaged in law enforcement, the administration of the criminal laws, the correction of offenders or the prevention or control of crime, the Attorney General is authorized to make grants to, or contract with, any public or private nonprofit agency, organization, or institution for projects designed to promote such purposes, including, but not limited to, projects designed to develop or demonstrate effective methods for increasing the security of person and property, controlling the incidence of lawlessness, and promoting respect for law.

Cooperation with other Federal agencies.

SEC. 4. The Attorney General may arrange with and reimburse the heads of other Federal departments or agencies for the performance of any of his functions under this Act, and, as necessary or appropriate, delegate any of his powers under this Act with respect to any program or part thereof, and authorize the redelegation of such powers.

Administration.

SEC. 5. (a) The Attorney General or his delegate shall require, wherever feasible, as a condition of approval of a grant under this Act, that the recipient contribute money, facilities, or services for carrying out the project for which such grant is sought. The amount of such contribution shall be determined by the Attorney General or his delegate.

(b) The Attorney General is authorized to prescribe regulations establishing criteria pursuant to which grants may be reduced for such programs, facilities, or projects as have received assistance under section 2 or 3 for a period prescribed in such regulations.

(c) Payments under section 2 or section 3 may be made in installments, and in advance or by way of reimbursement, as may be deter-

mined by the Attorney General or his delegate, and shall be made on such conditions as he finds necessary to carry out the purpose of section 2 or section 3, as the case may be.

(d) Payments under section 2 may include such sums for stipends and allowances (including travel and subsistence expenses) for trainees as are found necessary by the Attorney General or his delegate.

Stipends and allowances for trainees.

SEC. 6. (a) The Attorney General is authorized to make studies with respect to matters relating to law enforcement organization, techniques and practices, or the prevention or control of crime, including the effectiveness of projects or programs carried out under this Act, and to cooperate with and render technical assistance to State, local or other public or private agencies, organizations, and institutions in such matters.

Studies.

(b) The Attorney General is authorized to collect, evaluate, publish, and disseminate information and materials relating to studies conducted under this Act, and other matters relating to law enforcement organization, techniques and practices, or the prevention or control of crime, for the benefit of the general public or of agencies and personnel engaged in programs concerning these subjects, as may be appropriate.

SEC. 7. 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 organization, administration or personnel of any State or local police force or other law enforcement agency.

Limitation.

SEC. 8. (a)(1) The Attorney General is authorized to appoint such technical or other advisory committees to advise him in connection with the administration of this Act as he deems necessary.

Advisory committees.

(2) Members of any such committee not otherwise in the employ of the United States, while attending meetings of their committee, shall be entitled to receive compensation at a rate to be fixed by the Attorney General, but not exceeding $50 per diem, including travel-time, 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 by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Compensation.

60 Stat. 808; 75 Stat. 339, 340.

(b) As used in this Act, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"State."

SEC. 9. The Attorney General shall carry out the programs provided for in this Act during the fiscal year ending June 30, 1966, and the two succeeding fiscal years.

SEC. 10. For the purpose of carrying out this Act, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the fiscal year ending June 30, 1968, such sums as the Congress may hereafter authorize.

Appropriation.

SEC. 11. On or before April 1, 1966, and each year thereafter, the Attorney General shall report to the President and to the Congress on his activities pursuant to the provisions of this Act.

Report to President and Congress.

Approved September 22, 1965.

Public Law 89-198

September 22, 1965
[H. R. 8333]

AN ACT

To amend title 10, United States Code, to provide for the establishment of a program of cash awards for suggestions, inventions, or scientific achievements by members of the armed forces which contribute to the efficiency, economy, or other improvement of Government operations.

Armed Forces. Cash awards program. 70A Stat. 88.

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. Cash awards for suggestions, inventions, or scientific achievements

Armed Forces operations.

"(a) The Secretary of Defense, or the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, may authorize the payment of a cash award to, and incur necessary expense for the honorary recognition of, a member of the armed forces under his jurisdiction who by his suggestion, invention, or scientific achievement contributes to the efficiency, economy, or other improvement of operations or programs relating to the armed forces.

U.S. Government operations.

"(b) Whenever the President considers it desirable, the Secretary of Defense, and the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, are authorized to pay a cash award to, and incur necessary expense for the honorary recognition of, a member of the armed forces who by his suggestion, invention, or scientific achievement contributes to the efficiency, economy, or other improvement of operations of the Government of the United States. Such award is in addition to any other award made to that member under subsection (a).

"(c) An award under this section may be paid notwithstanding the member's death or separation from the armed force concerned, but only if the suggestion, invention, or scientific achievement forming the basis for the award was made while he was on active duty.

Acceptance provisions.

"(d) A cash award under this section is in addition to the pay and allowances of the recipient. The acceptance of such an award shall constitute—

"(1) an agreement by the member that the use by the United States of any idea, method, or device for which the award is made may not be the basis of a claim against the United States by the member, his heirs, or assigns, or by any person whose claim is alleged to be derived through the member; and

"(2) a warranty by the member that he has not at the time of acceptance transferred, assigned, or otherwise divested himself of legal or equitable title in any property right residing in the idea, method, or device for which the award is made.

Available funds.

"(e) Awards to, and expenses for the honorary recognition of, members of the armed forces under this section may be paid from (1) the funds or appropriations available to the activity primarily benefiting; or (2) the several funds or appropriations of the various activities benefiting, as may be determined by the President for awards under subsection (b), and by the Secretary concerned for awards under subsection (a).

Limitation.

"(f) The total amount of the award, or awards, made under this section for a suggestion, invention, or scientific achievement may not exceed $25,000, regardless of the number of persons who may be entitled to share therein.

"(g) Awards under this section shall be made 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. The Secretary of Defense and the Secretary of the Treasury shall send to the President annually for transmittal to Congress a program report, with appropriate recommendations, on the awards program.

Program report to President and Congress.

"(h) For the purposes of this section, a member of the Commissioned Corps of the Environmental Science Services Administration or of the Public Health Service who is serving with an armed force shall be treated as if he were a member of that armed force."; and

Eligibility.

Post, p. 1316.

(2) by adding the following new item at the end of the analysis:

"1124. Cash awards for suggestions, inventions, or scientific achievements."

Approved September 22, 1965.

Public Law 89-199

AN ACT

September 23, 1965
[H. R. 10586]

Making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare 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 for the Departments of Labor, and Health, Education, and Welfare (this Act may be cited as the "Departments of Labor, and Health, Education, and Welfare Supplemental Appropriation Act, 1966") for the fiscal year ending June 30, 1966, and for other purposes, namely:

Department of Labor, and Health, Education, and Welfare Supplemental Appropriation Act, 1966.

CHAPTER I

DEPARTMENT OF LABOR

MANPOWER ADMINISTRATION

MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

For an additional amount for "Manpower development and training activities", $126,070,000.

OFFICE OF MANPOWER ADMINISTRATOR, SALARIES AND EXPENSES

For an additional amount for "Office of Manpower Administrator, salaries and expenses", $27,535,800.

BUREAU OF APPRENTICESHIP AND TRAINING, SALARIES AND EXPENSES

For an additional amount for "Bureau of Apprenticeship and Training, salaries and expenses", $353,000.

BUREAU OF EMPLOYMENT SECURITY, SALARIES AND EXPENSES

For an additional amount for "Bureau of Employment Security, salaries and expenses", $844,200.

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES, ACTIVITIES RELATING TO ADMISSION AND EMPLOYMENT IN AGRICULTURE OF NONIMMIGRANT ALIENS

For expenses necessary for the performance of such functions as the Secretary of Labor deems necessary to assure, in connection with the admission of nonimmigrant aliens under the Immigration and Nationality Act (8 U.S.C. 1184) for employment in agriculture, that maximum efforts are made to recruit and retain agricultural workers for available job opportunities, that domestic workers are given preference in employment over alien workers, and that the employment of alien workers does not adversely affect the wages and working conditions of workers in this country, $1,723,000.

66 Stat. 189.

CHAPTER II

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, $967,000,000, of which $775,000,000 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 determinations and payments under such title shall be on the basis of the amount authorized to be appropriated for such title, $100,000,000 shall be for school library resources, textbooks, and other instructional materials under title II of said Elementary and Secondary Education Act of 1965, $75,000,000 shall be for supplementary educational centers and services under title III of said Act, and $17,000,000 shall be for strengthening State departments of education under title V of said Act.

Ante, p. 27.

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, $45,000,000, of which not to exceed $20,000,000 shall remain available until expended for construction of regional facilities for research and related purposes under section 4 of such Act: *Provided*, That funds appropriated in the Department of Health, Education, and Welfare Appropriation Act, 1966, under the heading "Cooperative research", shall be transferred to and merged with this appropriation.

Ante, p. 44.

Ante, p. 595.

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $4,050,000.

VOCATIONAL REHABILITATION ADMINISTRATION

RESEARCH AND TRAINING

For an additional amount for "Research and training", $6,100,000.

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $70,000.

PUBLIC HEALTH SERVICE

CHRONIC DISEASES AND HEALTH OF THE AGED

For an additional amount for "Chronic diseases and health of the aged", $12,800,000.

COMMUNICABLE DISEASE ACTIVITIES

For an additional amount for "Communicable disease activities", $1,000,000.

COMMUNITY HEALTH PRACTICE AND RESEARCH

For an additional amount for "Community health practice and research", $2,700,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For an additional amount for "National Institute of General Medical Sciences", $4,550,000.

NATIONAL CANCER INSTITUTE

For an additional amount for "National Cancer Institute", $5,150,000.

NATIONAL HEART INSTITUTE

For an additional amount for "National Heart Institute", $5,050,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND BLINDNESS

For an additional amount for "National Institute of Neurological Diseases and Blindness", $5,500,000.

ADMINISTRATION ON AGING

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, $7,000,000, as authorized by the Older Americans Act of 1965: *Provided*, That upon establishment of the Administration on Aging, any funds appropriated in the Department of Health, Education, and Welfare Appropriation Act, 1966, under the head "Salaries and expenses, Office of Aging" shall be transferred to and merged with this appropriation.

Ante, p. 218.

Ante, p. 606.

OFFICE OF THE SECRETARY

OFFICE OF AUDIT, SALARIES AND EXPENSES

For an additional amount for "Office of Audit, salaries and expenses", $180,000.

OFFICE OF THE GENERAL COUNSEL, SALARIES AND EXPENSES

For an additional amount for "Office of the General Counsel, salaries and expenses", $85,500.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

Ante, p. 125.

For carrying out the National Technical Institute for the Deaf Act (Public Law 89-36), $420,000, to remain available until expended.

GENERAL PROVISION

Ante, p. 609.

SEC. 201. The provisions of section 207 of the Department of Health, Education, and Welfare Appropriation Act, 1966, Public Law 89-156, shall apply to the items contained in this chapter.

Approved September 23, 1965.

Public Law 89-200

September 25, 1965
[H. R. 7779]

AN ACT

To provide for the retirement of enlisted members of the Coast Guard Reserve.

Coast Guard Reserve.
Enlisted members, retirement.
63 Stat. 552.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 755(e) of title 14, United States Code, is amended to read as follows:

"(e) Members of the Coast Guard Reserve, except enlisted members retiring on the basis of years of active service, shall be entitled to the same retirement benefits as prescribed by law for personnel of the Naval Reserve, and wherever any such law confers authority upon the Secretary of the Navy, similar authority shall be deemed given to the Secretary of the Treasury to be exercised with respect to the Coast Guard when the Coast Guard is operating under the Treasury Department. Enlisted members of the Coast Guard Reserve requesting retirement on the basis of years of active service shall be entitled to the same retirement rights, benefits, and privileges as prescribed by law for enlisted members of the Regular Coast Guard."

Approved September 25, 1965.

Public Law 89-201

September 25, 1965
[H. R. 8761]

AN ACT

To provide an increase in the retired pay of certain members of the former Lighthouse Service.

Lighthouse Service.
Retirement pay, increase.
40 Stat. 608.
33 USC 763.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the annual rate of retired pay of each person retired prior to January 1, 1963, under section 6 of the Act of June 20, 1918, as amended and supplemented, shall be increased by 6.5 per centum, effective on the first day of the first calendar month following the date of enactment of this Act.

Approved September 25, 1965.

Public Law 89-202

AN ACT

September 25, 1965
[H. R. 10323]

Making appropriations for military construction for the Department of Defense 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, for the fiscal year ending June 30, 1966, for military construction functions administered by the Department of Defense, and for other purposes, namely:

Military Construction Appropriation Act, 1966.

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, $323,443,000, 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, $316,305,000, 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, $348,273,000, to remain available until expended: *Provided*, That $4,401,000 heretofore appropriated under this head to be used only for the construction of solar facilities at Holloman Air Force Base, may be used for any of the purposes of this appropriation.

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, $64,268,000, 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, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $10,000,000, to remain available until expended.

70A Stat. 120. 10 USC 2231-2238.

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, $10,000,000, to remain available until expended.

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, $9,500,000, 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, $4,000,000, to remain available until expended.

LORAN STATIONS, DEFENSE

For construction of additional loran stations by the Coast Guard, $5,000,000, to remain available until expended, which shall be transferred on approval of the Secretary of Defense to the appropriation, "Acquisition, construction, and improvements", Coast Guard.

FAMILY HOUSING, DEFENSE

For expenses of family housing for the Army, Navy, Marine Corps, Air Force, and Defense agencies, for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation, maintenance, and debt payment, including leasing, minor construction, principal and interest charges and insurance premiums, as authorized by law, $665,846,000, 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:
Construction, $39,845,000;
Operation, maintenance, $132,477,000;
Debt payment, $48,172,000.

For the Navy and Marine Corps:
Construction, $65,862,000;
Operation, maintenance, $65,487,000;
Debt payments, $31,325,000.

For the Air Force:
Construction, $70,934,000;
Operation, maintenance, $119,662,000;
Debt payment, $89,387,000.
For Defense agencies:
Construction, $406,000;
Operation, maintenance, $2,289,000.

Provided, That the amounts provided under this head for construction, shall remain available until expended.

GENERAL PROVISIONS

Prior appropriations.

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 first session of the Eighty-ninth Congress.

Contracts.

SEC. 102. None of the funds appropriated in this Act shall be expended for payments under a cost-plus-a-fixed-fee contract for 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 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.

Short title.

SEC. 111. This Act may be cited as the "Military Construction Appropriation Act, 1966".

Approved September 25, 1965.

Public Law 89-203

September 25, 1965
[S. J. Res. 5]

JOINT RESOLUTION

Designating the bridge crossing the Washington Channel near the intersection of the extension of Thirteenth and G Streets Southwest the "Francis Case Memorial Bridge".

Whereas the Congress and the citizens of the District of Columbia are sorely saddened by the tragic and untimely passing of one of the District's most dedicated and resourceful friends, the distinguished Senator from South Dakota, Francis Case; and

Whereas during his long and distinguished career in the United States House of Representatives and the United States Senate, Francis Case was known and respected for his courage and untiring devotion to duty, and was loved for his sincerity, modesty, and understanding; and

Whereas he attained enviable stature and esteem for his constant cooperation, his wise counsel, and his broad comprehension of planning and development in the District of Columbia; and

Whereas Francis Case was an architect of the twenty-third amendment to the Constitution of the United States guaranteeing residents of the District of Columbia the right to vote for electors for President and Vice President; and

Whereas during his years of service Francis Case sponsored many measures for improvements in the District of Columbia and served as chairman of the Senate Committee on the District of Columbia in 1953 and 1954; and

Whereas, through diligent study of past, present, and future District of Columbia needs, Francis Case gained a thorough grasp of District activities and helped fashion firm policies that will guide the District for decades; and

Whereas, after having served on the Senate Committee on the District of Columbia through the years 1951 to 1954, Francis Case returned voluntarily to the committee in 1959 and 1960 to serve again the people of the District despite his increased responsibilities in the United States Senate; and

Whereas his able and dedicated service as a member of the Senate Committee on Public Works contributed immeasurably to the development and improvement of the highway transportation system in the District of Columbia; and

Whereas it was through his remarkable dedication to duty that Francis Case helped bring about major District of Columbia expansion of highway and bridge construction, through the enactment of the

District of Columbia public works program in 1954, that is a lasting monument to his service: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge crossing the Washington Channel of the Potomac River on Interstate Route 95, approximately one hundred yards downstream from the outlet gate of the Tidal Basin, near the intersection of the extension of Thirteenth and G Streets Southwest, shall be known and designated as the "Francis Case Memorial Bridge". Any law, regulation, map, document, record, or other paper of the United States or of the District of Columbia in which such bridge is referred to shall be held to refer to such bridge as the "Francis Case Memorial Bridge".

Francis Case Memorial Bridge. Designation.

SEC. 2. The Commissioners of the District of Columbia shall place on the "Francis Case Memorial Bridge" plaques of suitable and appropriate design.

SEC. 3. The Secretary of the Senate shall transmit copies of this resolution to the wife of the late Senator Francis Case, Myrle Case; his daughter, Jane Case Williams; and his granddaughters, Catherine and Julia.

Approved September 25, 1965.

Public Law 89-204

September 27, 1965
[H. R. 6431]

AN ACT

To amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty.

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 inserting immediately preceding item 911.70 the following new items:

Nickel. Free entry.

77A Stat. 431.

" 911.21	Ferronickel (provided for in item 607.25, part 2B, schedule 6)	Free	3¢ per lb.	On or before 6/30/67
911.22	Unwrought nickel (provided for in item 620.02, part 2E, schedule 6)	Free	3¢ per lb.	On or before 6/30/67
911.23	Nickel powders (provided for in item 620.32, part 2E, schedule 6)	Free	3¢ per lb.	On or before 6/30/67 ".

SEC. 2. (a) 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.

Effective date.

(b) Duty-free treatment with respect to any article provided for in item 607.25, 620.02, or 620.32 of title I of the Tariff Act of 1930 shall not apply after June 30, 1967, except pursuant to a trade agreement which is entered into under the Trade Expansion Act of 1962 before July 1, 1967. For purposes of section 201(a)(2) of the Trade Expansion Act of 1962 (19 U.S.C., sec. 1821(a)(2)), in the case of such a trade agreement the duty-free treatment provided by item 911.21, 911.22, or 911.23 of title I of the Tariff Act of 1930 shall be considered as existing duty-free treatment.

Nonapplicability.

77A Stat. 267, 281.

76 Stat. 872.

Approved September 27, 1965, 11:07 e.s.t.

Public Law 89-205

September 27, 1965
[H. R. 8469]

AN ACT

To provide certain increases in annuities payable from the civil service retirement and disability fund, 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 1(t) of the Civil Service Retirement Act, as amended (5 U.S.C. 2251(t)), is amended to read as follows:

Civil service retirement and disability fund. Annuities. 76 Stat. 869.

"(t) 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."

70 Stat. 759.

(b) Section 17(a) of such Act, as amended (5 U.S.C. 2267(a)), is amended by inserting immediately before the period at the end thereof the following: ", and for payment of administrative expenses incurred by the Commission in placing in effect each annuity adjustment granted under section 18 of this Act".

Cost-of-living adjustment. 76 Stat. 869.

(c) Section 18 of such Act, as amended (5 U.S.C. 2268), is amended to read as follows:

"SEC. 18. (a) Effective the first day of the third month which begins after the date of enactment of this amendment each annuity payable from the fund which has a commencing date not later than such effective date shall be increased by (1) the per centum rise in the price index, adjusted to the nearest one-tenth of 1 per centum, determined by the Commission on the basis of the annual average price index for calendar year 1962 and the price index for the month latest published on date of enactment of this amendment, 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. Each survivor annuity authorized (1) by section 8 of the Act of May 29, 1930, as amended to July 6, 1950, or (2) by section 2 of Public Law 85-465, shall be increased by any additional amount which may be required to make the total increase under this subsection equal to 15 per centum or $10 per month, whichever is the lesser.

62 Stat. 52; 64 Stat. 320; 72 Stat. 219. 5 USC 2259 notes.

"(b) Each month after the first increase under this section, the Commission 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.

Eligibility.

"(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 10(d)), which annuity commences the day

70 Stat. 754. 5 USC 2260.

after 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, except that the increase in a survivor annuity authorized by section 8 of the Act of May 29, 1930, as amended to July 6, 1950, shall be computed as if the annuity commencing date had been the effective date of the first increase under this section.

62 Stat. 52; 64 Stat. 320. 5 USC 2259 note.

"(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 10(d), the items $600, $720, $1,800, and $2,160 appearing in section 10(d) 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 10(d) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death.

70 Stat. 754. 5 USC 2260.

"(d) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

Limitation.

"(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."

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.

5 USC 2267 note.

Approved September 27, 1965, 11:07 e.s.t.

Public Law 89-206

September 28, 1965 [S. 1903]

AN ACT

To amend the United Nations Participation Act, as amended (63 Stat. 734-736).

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That (a) subsections (a) and (b) of section 2 of the United Nations Participation Act of 1945, as amended by Public Law 341, Eighty-first Congress, October 10, 1949, are hereby further amended to read as follows:

United Nations Participation Act of 1945, amendment.

63 Stat. 734. 22 USC 287.

"(a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the United Nations who shall have the rank and status of Ambassador Extraordinary and Plenipotentiary and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and may serve ex officio as representative of the United States in any organ, commission, or other body of the United Nations other than specialized agencies of the United Nations, and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may, from time to time, direct.

U.S. representative to United Nations.

"(b) The President, by and with the advice and consent of the Senate, shall appoint additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament). Such persons shall serve at the pleasure of the President and subject to the direction

Additional representatives.

of the Representative of the United States to the United Nations. They shall, at the direction of the Representative of the United States to the United Nations, represent the United States in any organ, commission, or other body of the United Nations, including the Security Council, the Economic and Social Council, and the Trusteeship Council, and perform such other functions as the Representative of the United States is authorized to perform in connection with the participation of the United States in the United Nations. Any Deputy Representative or any other officer holding office at the time the provisions of this Act, as amended, become effective shall not be required to be reappointed by reason of the enactment of this Act, as amended."

(b) Subsection (d) of section 2 of such Act is amended to read as follows:

Other appointments.

"(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in organs and agencies of the United Nations. The President may, without the advice and consent of the Senate, designate any officer of the United States to act without additional compensation as the representative of the United States in either the Economic and Social Council or the Trusteeship Council (1) at any specified session thereof where the position is vacant or in the absence or disability of the regular representative or (2) in connection with a specified subject matter at any specified session of either such Council in lieu of the regular representative. The President may designate any officer of the Department of State, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States in the Security Council of the United Nations in the absence or disability of the representatives provided for under section 2 (a) and (b) or in lieu of such representatives in connection with a specified subject matter."

SEC. 2. Section 2 of such Act is hereby further amended by redesignating subsections (e) and (f) to be subsections (f) and (g) respectively; and by adding after subsection (d) the following new subsection:

U.S. Representative to European office of the United Nations.

"(e) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the European office of the United Nations with appropriate rank and status who shall serve at the pleasure of the President and subject to the direction of the Secretary of State. Such person shall, at the direction of the Secretary of State, represent the United States at the European office of the United Nations, and perform such other functions there in connection with the participation of the United States in international organizations as the Secretary of State may, from time to time, direct."

Approved September 28, 1965.

Public Law 89-207

September 28, 1965
[S. 7]

AN ACT

To provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, 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 provide for the public outdoor recreation use and enjoyment thereof by the people of the United States, the Secretary of Agriculture shall establish the Spruce Knob-Seneca Rocks National Recreation Area in the State of West Virginia.

Spruce Knob-Seneca Rocks National Recreation Area, W. Va. Establishment.

SEC. 2. The Secretary of Agriculture (hereinafter called the "Secretary") shall—

(1) designate as soon as practicable after this Act takes effect the Spruce Knob-Seneca Rocks National Recreation Area within and adjacent to, and as a part of, the Monongahela National Forest in West Virginia, not to exceed in the aggregate one hundred thousand acres comprised of the area including Spruce Knob, Smoke Hole, and Seneca Rock, and lying primarily in the drainage of the South Branch of the Potomac River, the boundaries of which shall be those shown on the map entitled "Proposed Spruce Knob-Seneca Rocks National Recreation Area", dated March 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.

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 within the boundaries of the recreation area as he determines to be needed or desirable for the purposes of this Act. For the purposes of section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), the boundaries of the Monongahela National Forest, as designated by the Secretary pursuant to section 2 of this Act, shall be treated as if they were the boundaries of that forest on January 1, 1965. Lands waters, or interests therein owned by the State of West Virginia or any political subdivision of that State may be acquired only with the concurrence of such owner.

Acquisition of lands, etc.

16 USC 460*l*-9.

(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 West Virginia under his jurisdiction.

(d) The portion of the moneys paid to the State of West Virginia under the provisions of section 13 of the Act of March 1, 1911, as amended (16 U.S.C. 500), for expenditure for the benefit of Pendleton and Grant Counties, West Virginia, may be expended as the State legislature may prescribe for the benefit of such counties for public schools, public roads, or other public purposes.

36 Stat. 963; 38 Stat. 441.

SEC. 4. (a) After the Secretary acquires an acreage within the area designated pursuant to paragraph (1) of 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

Outdoor recreation facilities development.

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.

(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.

Administration.

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.

Hunting and fishing.

SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Spruce Knob-Seneca Rocks 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 Department of Natural Resources of the State of West Virginia.

Approved September 28, 1965.

Public Law 89-208

September 28, 1965
[S. 1317]

AN ACT

To authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks.

District of Columbia.
Penalties for dishonored checks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and directed to prescribe and impose as a penalty, in addition to any other penalties provided by law, an amount to be paid by any person who gives or causes to be given a check in payment of any tax, assessment, fee, charge, or other obligation due the Government of the District of Columbia, and such check is subsequently dishonored or not duly paid. The amount of the penalty shall be prescribed from time to time by the Commissioners and shall be based on the approximate cost borne by the District of Columbia in handling and collecting such dishonored or unpaid checks. Upon imposition, such penalty shall be collected in the same manner as the original obligation due the District of Columbia and any receipt theretofore given in reliance upon such check shall be null and void and no other receipt shall be given for the payment of the original indebtedness until the penalty has also been paid. This Act shall not apply to a check which is not paid because of the death of the drawer thereof.

Approved September 28, 1965.

Public Law 89-209

September 29, 1965
[S. 1483]

AN ACT

To provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts 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 this Act may be cited as the "National Foundation on the Arts and the Humanities Act of 1965".

National Foundation on the Arts and the Humanities Act of 1965.

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds and declares—

(1) that the encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government;

(2) that a high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity;

(3) that democracy demands wisdom and vision in its citizens and that it must therefore foster and support a form of education designed to make men masters of their technology and not its unthinking servant;

(4) that it is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations;

(5) that the practice of art and the study of the humanities requires constant dedication and devotion and that, while no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent;

(6) that the world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit; and

(7) that, in order to implement these findings, it is desirable to establish a National Foundation on the Arts and the Humanities and to strengthen the responsibilities of the Office of Education with respect to education in the arts and the humanities.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "humanities" includes, but is not limited to, the study of the following: language, both modern and classic; linguistics; literature; history; jurisprudence; philosophy; archeology; the history, criticism, theory, and practice of the arts; and those aspects of the social sciences which have humanistic content and employ humanistic methods.

(b) The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, and the arts

related to the presentation, performance, execution, and exhibition of such major art forms.

(c) The term "production" means plays (with or without music), ballet, dance and choral performances, concerts, recitals, operas, exhibitions, readings, motion pictures, television, radio, and tape and sound recordings, and any other activities involving the execution or rendition of the arts and meeting such standards as may be approved by the National Endowment for the Arts established by section 5 of this Act.

(d) The term "project" means programs organized to carry out the purposes of this Act, including programs to foster American artistic creativity, to commission works of art, to create opportunities for individuals to develop artistic talents when carried on as a part of a program otherwise included in this definition, and to develop and enhance public knowledge and understanding of the arts, and includes, where appropriate, rental, purchase, renovation, or construction of facilities, purchase or rental of land, and acquisition of equipment.

(e) The term "group" includes any State or other public agency, and any nonprofit society, institution, organization, association, museum, or establishment in the United States, whether or not incorporated.

(f) The term "workshop" means a production the primary purpose of which is to encourage the artistic development or enjoyment of amateur, student, or other nonprofessional participants.

(g) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

ESTABLISHMENT OF A NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SEC. 4. (a) There is established a National Foundation on the Arts and the Humanities (hereinafter referred to as the "Foundation"), which shall be composed of a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal Council on the Arts and the Humanities (hereinafter established).

(b) The purpose of the Foundation shall be to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States pursuant to this Act.

(c) In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, or curriculum, or the administration or operation of any school or other non-Federal agency, institution, organization, or association.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE ARTS

SEC. 5. (a) There is established within the Foundation a National Endowment for the Arts.

(b) The Endowment shall be headed by a Chairman, to be known as the Chairman of the National Endowment for the Arts.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to groups or, in appropriate cases, to individuals engaged in or concerned with the arts, for the purpose of enabling them to provide or support in the United States—

(1) productions which have substantial artistic and cultural significance, giving emphasis to American creativity and the maintenance and encouragement of professional excellence;

(2) productions, meeting professional standards or standards of authenticity, irrespective of origin which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens in many areas of the country;

(3) projects that will encourage and assist artists and enable them to achieve standards of professional excellence;

(4) workshops that will encourage and develop the appreciation and enjoyment of the arts by our citizens;

(5) other relevant projects, including surveys, research, and planning in the arts.

(d)(1) In addition to performing any of the functions, duties, and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, Public Law 88-579, approved September 3, 1964, the individual appointed under such Act as Chairman of the National Council on the Arts shall serve as the Chairman of the National Endowment for the Arts. In lieu of receiving compensation at the rate prescribed by section 6(c) of such Act, such individual serving as Chairman of the National Council on the Arts and Chairman of the National Endowment for the Arts shall receive compensation at the same rate prescribed by law for the Director of the National Science Foundation.

78 Stat. 905.
20 USC 781 note.

(2)(A) The first sentence of section 6(b) of the National Arts and Cultural Development Act of 1964 is hereby amended to read as follows: "The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment."

(B) The amendment made by clause (A) of this paragraph shall be applicable with respect to the Chairman holding office on the date of enactment of this Act and each Chairman holding office thereafter.

(e) No payment may be made to any group under this section except upon application therefor which is submitted to the National Endowment for the Arts in accordance with regulations and procedures established by the Chairman.

(f) The total amount of any grant to any group pursuant to subsection (c) of this section shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds allotted by the National Endowment for the Arts for this purpose for any fiscal year may be available for such grants in that fiscal year without regard to such limitation in the case of any group which submits evidence to the Endowment that it has attempted unsuccessfully to secure an amount of funds equal to the grant applied for by such group, together with a statement of the proportion which any funds it has secured represent of the funds applied for by such group.

(g) Any group shall be eligible for financial assistance pursuant to this section only if (1) no part of its net earnings inures to the benefit of any private stockholder or stockholders, or individual or individuals, and (2) donations to such group are allowable as a charitable contribution under the standards of subsection (c) of section 170 of the Internal Revenue Code of 1954.

68A Stat. 59.
26 USC 170.

(h)(1) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to assist the several States in supporting existing projects and productions which meet the standards enumerated in section 5(c) of this Act, and in developing projects and productions in the arts in such a manner as will furnish adequate programs, facilities, and services in the arts to all the people and communities in each of the several States.

(2) In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of

such fiscal year and accompany such application with a plan which the Chairman finds—

(A) designates or provides for the establishment of a State agency (hereinafter in this section referred to as the "State agency") as the sole agency for the administration of the State plan, except that in the case of the District of Columbia the Recreation Board shall be the "State agency";

(B) provides that funds paid to the State under this subsection will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of subsection (c); except that in the case of the first fiscal year in which the State is allotted funds after the enactment of this Act, a plan may provide that not to exceed $25,000 of such funds will be expended to conduct a study to plan the development of a State agency in the State and to establish such an agency; and

(C) provides that the State agency will make such reports, in such form and containing such information, as the Chairman may from time to time require.

(3) The funds appropriated pursuant to section 11(c) for any fiscal year shall be equally allotted among the States.

(4) The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1), and to pay up to 100 per centum of the cost of conducting a study and establishing a State agency under paragraph (2)(B) of this subsection.

(5) All amounts allotted under paragraph (3) for a fiscal year which are not granted to a State during such year shall be available at the end of such year to the National Endowment for the Arts for the purpose of carrying out section 5(c) to the extent that the value of gifts, bequests, and devises received by the Endowment under section 10(a)(2) exceeds amounts appropriated under the authority of section 11(b).

(i) Whenever the Chairman, after reasonable notice and opportunity for hearing, finds that—

(1) a group is not complying substantially with the provisions of this section;

(2) a State agency is not complying substantially with the terms and conditions of its State plan approved under this section; or

(3) any funds granted to a group or State agency under this section have been diverted from the purposes for which they were allotted or paid,

the Chairman shall immediately notify the Secretary of the Treasury and the group or State agency with respect to which such finding was made that no further grants will be made under this section to such group or agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until such group or agency repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

(j) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel (other than laborers and mechanics with respect to whom labor standards are prescribed in subsection (k) of this section) employed on projects or productions which are financed in

whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; and (2) no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance. The Secretary of Labor shall have the authority to prescribe standards, regulations, and procedures as he may deem necessary or appropriate to carry out the provisions of this subsection.

(k) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less that 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 subsection 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).

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267.
63 Stat. 108.

(l) The Chairman shall correlate the programs of the National Endowment for the Arts insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

TRANSFER OF THE NATIONAL COUNCIL ON THE ARTS

SEC. 6. (a) The National Council on the Arts, established by the National Arts and Cultural Development Act of 1964, and its functions are transferred from the Executive Office of the President to the National Endowment for the Arts.

(b) The National Council on the Arts shall, in addition to performing any of the duties and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, duties, or responsibilities pursuant to the provisions of this Act, and (2) review applications for financial assistance made under this Act and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time.

78 Stat. 905.
20 USC 781 note.

(c) The function of the Secretary of the Smithsonian Institution with respect to serving as an ex officio member of the National Council on the Arts, now derived from section 5(a) of the National Arts and Cultural Development Act of 1964, is hereby abolished.

(d)(1) The first sentence of section 5(a) of the National Arts and Cultural Development Act of 1964 is amended by striking out "twenty-four" and inserting in lieu thereof "twenty-six".

78 Stat. 905.
20 USC 784.

(2) Clause (2) of the first sentence of section 5(b) of such Act is amended by inserting, immediately after "taking office", the following: "prior to May 31, 1965,".

(3) The second sentence of section 7(a) of such Act is amended by striking out "Thirteen" and inserting "Fourteen".

(4) Section 7(d) of such Act is hereby repealed.

(5) Section 10 of such Act is hereby repealed.

(e) Except as inconsistent with the provisions of this Act, the provisions of the National Arts and Cultural Development Act of 1964 shall be applicable with respect to the Chairman and the National Council on the Arts insofar as necessary for, or incidental to, carrying out the objectives of this Act.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

SEC. 7. (a) There is established within the Foundation a National Endowment for the Humanities.

(b)(1) The Endowment shall be headed by a chairman, who shall be appointed by the President, by and with the advice and consent of the Senate. The Chairman shall receive compensation at the rate prescribed by law for the Director of the National Science Foundation.

(2) The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment. The provisions of this paragraph shall apply to any person appointed to fill a vacancy in the office of the Chairman.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Humanities (hereinafter established), is authorized to—

(1) develop and encourage the pursuit of a national policy for the promotion of progress and scholarship in the humanities;

(2) initiate and support research and programs to strengthen the research potential of the United States in the humanities by making arrangements (including grants, loans, and other forms of assistance) with individuals or groups to support such activities;

(3) award fellowships and grants to institutions or individuals for training and workships in the humanities. Fellowships awarded to individuals under this authority may be for the purpose of study or research at appropriate nonprofit institutions selected by the recipient of such aid, for stated periods of time;

(4) foster the interchange of information in the humanities;

(5) foster, through grants or other arrangements with groups, public understanding and appreciation of the humanities; and

(6) support the publication of scholarly works in the humanities without regard to the provisions of section 87 of the Act of January 12, 1895 (28 Stat. 622), and section 11 of the Act of March 1, 1919 (40 Stat. 1270; 44 U.S.C. 111).

63 Stat. 405.

(d) The Chairman shall correlate the programs of the National Endowment for the Humanities, insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

(e) The total amount of any grant under subsection (c)(3) to any group engaging in workshop activities for which an admission or other charge is made to the general public shall not exceed 30 per centum of the total cost of such activities.

ESTABLISHMENT OF THE NATIONAL COUNCIL ON THE HUMANITIES

SEC. 8. (a) There is established in the National Endowment for the Humanities a National Council on the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment on the Humanities, who shall be the Chairman of the Council, and twenty-six other members appointed by the President from private life. Such members shall be selected on the basis of distinguished service and scholarship or creativity and in a manner which will provide a comprehensive representation of the views of scholars and professional practitioners in the humanities and of the public throughout the United States. The President is requested in the making of such appointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations concerned with the humanities.

(c) Each member shall hold office for a term of six years, except that (1) the members first taking office shall serve, as designated by the President, nine for terms of two years, nine for terms of four years, and eight for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. No member shall be eligible for reappointment during the two-year period following the expiration of his term.

(d) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Fourteen members of the Council shall constitute a quorum.

(e) Members not otherwise employed by the Federal Government shall receive compensation and be allowed travel expenses in the same manner as is provided in section 8 of Public Law 88-579 for the National Council on the Arts. 78 Stat. 907. 20 USC 787.

(f) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove an application until he has received the Council's recommendation unless the Council fails to make a recommendation on the application within a reasonable time.

ESTABLISHMENT OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 9. (a) There is established within the Foundation a Federal Council on the Arts and the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, and a member designated by the Secretary of State. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.

(c) The Council shall—

(1) advise and consult with the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities on major problems arising in carrying out the purposes of the Foundation;

(2) coordinate, by advice and consultation, so far as is practicable, the policies and operations of the National Endowment for the Arts and the National Endowment for the Humanities, including joint support of activities, as appropriate;

(3) promote coordination between the programs and activities of the Foundation and related programs and activities of other Federal agencies; and

(4) plan and coordinate appropriate participation (including productions and projects) in major and historic national events.

ADMINISTRATIVE PROVISIONS

SEC. 10. (a) In addition to any authorities vested in them by other provisions of this Act, the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities, in carrying out their respective functions, shall each have authority—

(1) to prescribe such regulations as he deems necessary governing the manner in which his functions shall be carried out;

(2) to receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of the Foundation or one of its Endowments, to the National Endowment for the Arts, or the National Endowment for the Humanities; and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 5(c) and 7(c) and for the purpose of carrying out the functions transferred by section 6(a) of this Act;

(3) in the discretion of the Chairman of an Endowment, to receive (and to use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed, or devised to that Endowment with a condition or restriction, including a condition that the Chairman use other funds of that Endowment for the purposes of the gift;

(4) appoint employees, subject to the civil service laws, as necessary to carry out his functions, define their duties, and supervise and direct their activities;

(5) utilize from time to time, as appropriate, experts and consultants, including panels of experts, who may be employed as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a);

60 Stat. 810.

(6) accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed without compensation;

60 Stat. 808; 75 Stat. 339, 340.

(7) rent office space in the District of Columbia; and

(8) make other necessary expenditures.

In any case in which any money or other property is donated, bequeathed, or devised to the Foundation (A) without designation of the Endowment for the benefit of which such property is intended, and (B) without condition or restriction other than that it be used for the purposes of the Foundation, such property shall be deemed to have been donated, bequeathed, or devised in equal shares to each Endowment within the scope of paragraph (2) of this subsection, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. In any case in which any money or other property is donated, bequeathed, or devised to the Foundation with a condition or restriction similar to a condition or restriction covered by paragraph (3) of this subsection, such property shall be deemed to have been donated, bequeathed, or devised, within the scope

of such paragraph, to that Endowment whose function it is to carry out the purpose or purposes described or referred to by the terms of such condition or restriction, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. For the purposes of the preceding sentence, if one or more of the purposes of such a condition or restriction is covered by the functions of both Endowments, or if some of the purposes of such a condition or restriction are covered by the functions of one Endowment and other of the purposes of such a condition or restriction are covered by the functions of the other Endowment, the Federal Council on the Arts and the Humanities shall determine an equitable manner for distribution between each of the Endowments of the property so donated, bequeathed, or devised. For the purposes of the income tax, gift tax, and estate tax laws of the United States, any money or other property donated, bequeathed, or devised to the Foundation or one of its Endowments and received by the Chairman of an Endowment pursuant to authority derived under this subsection shall be deemed to have been donated, bequeathed, or devised to or for the use of the United States.

Report to President and Congress.

(b) The Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities shall each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year. The report shall summarize the activities of the Endowment for the preceding year, and may include such recommendations as the Chairman deems appropriate.

Report to President and Congress.

(c) The National Council on the Arts and the National Council on the Humanities, respectively, may each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year setting forth a summary of its activities during the preceding year or its recommendations for any measures which it considers necessary or desirable.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. (a) For the purpose of carrying out sections 5(c) and 7(c) and the functions transferred by section 6(a) of this Act, there is authorized to be appropriated for the fiscal year ending June 30, 1966, and each of the two succeeding fiscal years the sum of $10,000,000; but for the fiscal year ending June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Sums appropriated under the authority of this subsection shall be equally divided between the Endowments of the Foundation, and shall remain available until expended.

(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act, except that amounts appropriated to the National Endowment for the Arts under this subsection may not exceed $2,250,000 for any fiscal year, and amounts appropriated to the National Endowment for the Humanities under this subsection may not exceed $5,000,000 for any fiscal year. Amounts appropriated to an Endowment under this subsection shall remain available until expended.

(c) There is hereby authorized to be appropriated to the National Endowment for the Arts the sum of $2,750,000 for each fiscal year, beginning with the fiscal year beginning on July 1, 1966, for the purposes of section 5(h). Sums appropriated under this subsection shall remain available until expended.

(d) There are authorized to be appropriated such sums as may be necessary to administer the provisions of this Act.

(e) No grant shall be made to a workshop (other than a workshop conducted by a school, college, or university) for a production for which a direct or indirect admission charge is asked if the proceeds, after deducting reasonable costs, are used for purposes other than assisting the grantee to develop high standards of artistic excellence or encourage greater appreciation of the arts and humanities by our citizens.

FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN THE HUMANITIES AND THE ARTS

SEC. 12. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used for (1) making payments to State educational agencies under this section for the acquisition of equipment (suitable for use in providing education in the humanities and the arts) and for minor remodeling described in subsection (c)(1) of this section, and (2) making loans authorized in subsection (f) of this section.

(b) Sums appropriated pursuant to subsection (a) shall be allotted in the same manner as provided in subsections (a) and (c) of section 302 of the National Defense Education Act of 1958, as amended (72 Stat. 1588; 20 U.S.C. 442).

77 Stat. 416.

(c) Any State which desires to receive payments under this section shall submit to the Commissioner of Education through its State educational agency a State plan which meets the requirements of section 1004(a) of the National Defense Education Act of 1958, as amended (72 Stat. 1603; 20 U.S.C. 584), and—

(1) sets forth a program under which funds paid to the State from its allotment under subsection (b) of this section will be expended solely for projects approved by the State educational agency for (A) acquisition of special equipment (other than supplies consumed in use), including audiovisual materials and equipment, and printed and published materials (other than textbooks), suitable for use in providing education in the humanities and the arts, and (B) minor remodeling of laboratory or other space used for such materials or equipment;

(2) sets forth principles for determining the priority of such projects in the State for assistance under this section and provides for undertaking such projects, insofar as financial resources available therefor make possible, in the order determined by the application of such principles;

(3) provides an opportunity for a hearing before the State educational agency to any applicant for a project under this section; and

(4) provides for the establishment of standards on a State level for special equipment acquired with assistance furnished under this section.

(d) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (c) of this section and the provisions of subsctions (b) and (c) of section 1004 of the National Defense Education Act, as amended (72 Stat. 1603; 20 U.S.C. 584), shall apply to this section in the same manner as applicable to State plans under that Act.

(e) Payments to States from allotments made under subsection (b) shall be made in the same manner as provided in section 304 of the National Defense Education Act of 1958, as amended (72 Stat. 1589; 20 U.S.C. 444).

(f) The Commissioner shall allot and administer loans to nonprofit private schools in the same manner as provided in section 305 of the National Defense Education Act of 1958, as amended (72 Stat. 1590; 20 U.S.C. 445).

TEACHER TRAINING INSTITUTES

SEC. 13. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used to enable the Commissioner of Education to arrange, through grants or contracts, with institutions of higher education for the operation by them within the United States of short term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals who are engaged in or preparing to engage in the teaching or supervising or training of teachers, of such subjects as will, in the judgment of the Commissioner, after consultation with the Chairman of the National Endowment for the Humanities, strengthen the teaching of the humanities and the arts in elementary and secondary schools.

(b) Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each such dependent.

PRESIDENTIAL APPOINTMENTS

SEC. 14. The President is requested to make such appointments (including any nomination) as are provided for in this Act within ninety days after the enactment of this Act.

Approved September 29, 1965.

Public Law 89-210

September 29, 1965
[S. 2042]

AN ACT

To amend section 170 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 subsection 170 c. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

Atomic Energy Act of 1954, amendment.
71 Stat. 577.
42 USC 2210.
Aggregate indemnity.

"c. The Commission shall, with respect to licenses issued between August 30, 1954, and August 1, 1977, for which it requires financial protection, agree to indemnify and hold harmless the licensee and other persons indemnified, as their interest may appear, from public liability arising from nuclear incidents which is in excess of the level of financial protection required of the licensee. The aggregate indemnity for all persons indemnified in connection with each nuclear incident shall not

exceed $500,000,000 including the reasonable costs of investigating and settling claims and defending suits for damage: *Provided, however*, That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000. Such a contract of indemnification shall cover public liability arising out of or in connection with the licensed activity. With respect to any production or utilization facility for which a construction permit is issued between August 30, 1954, and August 1, 1977, the requirements of this subsection shall apply to any license issued for such facility subsequent to August 1, 1977."

SEC. 2. The first two sentences of subsection 170 d. of the Atomic Energy Act of 1954, as amended, are amended to read as follows:

Indemnification agreements.

"In addition to any other authority the Commission may have, the Commission is authorized until August 1, 1977, to enter into agreements of indemnification with its contractors for the construction or operation of production or utilization facilities or other activities under contracts for the benefit of the United States involving activities under the risk of public liability for a substantial nuclear incident. In such agreements of indemnification the Commission may require its contractor to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity, and shall indemnify the persons indemnified against such claims above the amount of the financial protection required, in the amount of $500,000,000, including the reasonable costs of investigating and settling claims and defending suits for damage in the aggregate for all persons indemnified in connection with such contract and for each nuclear incident: *Provided*, That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000: *Provided further*, That in the case of nuclear incidents occurring outside the United States, the amount of the indemnity provided by the Commission shall not exceed $100,000,000."

SEC. 3. The first sentence of subsection 170 e. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

76 Stat. 410.

Aggregate liabilities.

"The aggregate liability for a single nuclear incident of persons indemnified, including the reasonable costs of investigating and settling claims and defending suits for damage, shall not exceed the sum of $500,000,000 together with the amount of financial protection required of the licensee or contractor: *Provided, however*, That such aggregate liability shall in no event exceed the sum of $560,000,000: *Provided further*, That with respect to any nuclear incident occurring outside of the United States to which an agreement of indemnification entered into under the provisions of subsection 170 d. is applicable, such aggregate liability shall not exceed the amount of $100,000,000 together with the amount of financial protection required of the contractor."

SEC. 4. Subsection 170 k. of the Atomic Energy Act of 1954, as amended, is amended by striking out the date "August 1, 1967" wherever it appears and inserting in lieu thereof the date "August 1, 1977".

72 Stat. 837; 78 Stat. 376. 42 USC 2210.

SEC. 5. Subsection 170 l. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

72 Stat. 525.

Nuclear ship, *Savannah*.

"l. The Commission is authorized until August 1, 1977, to enter into an agreement of indemnification with any person engaged in the design, development, construction, operation, repair, and maintenance or use of the nuclear-powered ship authorized by section 716 of the Merchant Marine Act, 1936, and designated the 'nuclear ship Savannah'. In any such agreement of indemnification the

70 Stat. 731. 46 USC 1206.

Commission may require such person to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising from a nuclear incident in connection with such design, development, construction, operation, repair, maintenance or use and shall indemnify the person indemnified against such claims above the amount of the financial protection required, in the amount of $500,000,000 including the reasonable costs of investigating and settling claims and defending suits for damage in the aggregate for all persons indemnified in connection with each nuclear incident: *Provided*, That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000."

Approved September 29, 1965.

Public Law 89-211

AN ACT

September 29, 1965
[H. R. 10014]

To amend the Act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives, and the Act of June 27, 1956, relating to office space in the States of Senators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the third sentence of the eighteenth paragraph under the subheading "Contingent Expenses of the House" under the heading "HOUSE OF REPRESENTATIVES" in the Legislative Appropriation Act, 1955 (2 U.S.C. 122), is amended by striking out "$1,200" and inserting in lieu thereof "$2,400", and the last sentence of such paragraph is amended by striking out "the Delegate from Alaska, the Delegate from Hawaii," and by striking out "Alaska, Hawaii,".

Members of Congress.
Office space in home districts.

71 Stat. 622.

(b) The second paragraph under the subheading "Administrative Provisions" under the heading "SENATE" in the Legislative Branch Appropriation Act, 1957 (2 U.S.C. 52), is amended to read as follows:

70 Stat. 359.

"Each Senator shall be entitled to office space suitable for his official use at not more than two places designated by him in the State he represents. The Sergeant at Arms is authorized and directed to secure for each Senator such suitable office space in post offices or other Federal buildings at the places designated by each Senator in the State he represents: *Provided*, That in the event suitable space is not available in post offices or other Federal buildings at one or both of the places designated by a Senator within his State, such Senator may lease or rent other office space for the purpose at such place or places, and the Sergeant at Arms shall approve for payment from the contingent fund of the Senate vouchers covering bona fide statements of rentals due in an amount not exceeding $2,400 for any fiscal year for such Senator."

SEC. 2. The amendments made by the first section of this Act shall take effect on the first day of the first month which begins after the date of enactment of this Act.

Effective date.

Approved September 29, 1965.

Public Law 89-212

September 29, 1965
[H. R. 10874]

AN ACT

To amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to eliminate certain provisions which reduce spouses' annuities, to provide coverage for tips, to increase the base on which railroad retirement benefits and taxes are computed, and to change the railroad retirement tax rates.

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

Railroad Retirement Act of 1937 and Railroad Retirement Tax Act, amendments.

SPOUSES' ANNUITIES

65 Stat. 683.

SECTION 1. Subsection (e) of section 2 of the Railroad Retirement Act of 1937 (45 U.S.C. 228b(e)) is amended by changing the colon before the last proviso to a period and by striking out all that follows down through the period at the end of such subsection.

COVERAGE OF TIPS

68A Stat. 431.
26 USC 3202.

SEC. 2. (a)(1) Subsection (a) of section 3202 of the Internal Revenue Code of 1954 (relating to deduction of tax from compensation) is amended by adding at the end thereof the following new sentence: "An employer who is furnished by an employee a written statement of tips (received in a calendar month) pursuant to section 6053(a) to which paragraph (3) of section 3231(e) is applicable may deduct an amount equivalent to such tax with respect to such tips from any compensation of the employee (exclusive of tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than $20."

Ante, p. 384.
Post, p. 859.

(2) Such section 3202 is amended by adding at the end thereof the following new subsection:

"(c) SPECIAL RULE FOR TIPS.—

"(1) In the case of tips which constitute compensation, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053(a), and only to the extent that collection can be made by the employer, at or after the time such statement is so furnished and before the close of the 10th day following the calendar month (or, if paragraph (3) applies, the 30th day following the quarter) in which the tips were deemed paid, by deducting the amount of the tax from such compensation of the employee (excluding tips, but including funds turned over by the employee to the employer pursuant to paragraph (2)) as are under control of the employer.

Post, p. 861.

"(2) If the tax imposed by section 3201, with respect to tips which are included in written statements furnished in any month to the employer pursuant to section 6053(a), exceeds the compensation of the employee (excluding tips) from which the employer is required to collect the tax under paragraph (1), the employee may furnish to the employer on or before the 10th day of the following month (or, if paragraph (3) applies, on or before the 30th day of the following quarter) an amount of money equal to the amount of the excess.

Quarterly estimates; deductions.

"(3) The Secretary or his delegate may, under regulations prescribed by him, authorize employers—

"(A) to estimate the amount of tips that will be reported by the employee pursuant to section 6053(a) in any quarter of the calendar year,

Ante, p. 384.

"(B) to determine the amount to be deducted upon each payment of compensation (exclusive of tips) during such quarter as if the tips so estimated constituted actual tips so reported, and

"(C) to deduct upon any payment of compensation (other than tips, but including funds turned over by the employee to the employer pursuant to paragraph (2)) to such employee during such quarter (and within 30 days thereafter) such amount as may be necessary to adjust the amount actually deducted upon such compensation of the employee during the quarter to the amount required to be deducted in respect of tips included in written statements furnished to the employer during the quarter.

"(4) If the tax imposed by section 3201 with respect to tips which constitute compensation exceeds the portion of such tax which can be collected by the employer from the compensation of the employee pursuant to paragraph (1) or paragraph (3), such excess shall be paid by the employee."

Post, p. 861.

(b)(1) The second sentence of subsection (e)(1) of section 3231 of such Code (relating to definition of compensation for purposes of the Railroad Retirement Tax Act) is amended by inserting "(except as is provided under paragraph (3))" after "tips".

68A Stat. 437.
26 USC 3231.

(2) Subsection (e) of such section 3231 is further amended by adding at the end thereof the following new paragraph:

"(3) Solely for purposes of the tax imposed by section 3201 and other provisions of this chapter insofar as they relate to such tax, the term 'compensation' also includes cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than $20."

(3) Such section 3231 is further amended by adding at the end thereof the following new subsection:

"(h) TIPS CONSTITUTING COMPENSATION, TIME DEEMED PAID.—For purposes of this chapter, tips which constitute compensation for purposes of the tax imposed under section 3201 shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) or (if no statement including such tips is so furnished) at the time received; and tips so deemed to be paid in any month shall be deemed paid for services rendered in such month."

(c) Section 3402(k) of such Code (relating to income tax collected at source on tips) is amended (1) by inserting "or section 3202(c)(2)" after "section 3102(c)(2)" and (2) by inserting "or section 3202(a)" after "section 3102(a)".

Ante, p. 384.

(d)(1) Section 6053(a) of such Code (relating to reports of tips by employees) is amended by inserting "or which are compensation (as defined in section 3231(e))" after "or section 3401(a))".

(2) Section 6053(b) of such Code (relating to statements furnished by employers) is amended (A) by inserting "or section 3201 (as the case may be)" after "section 3101", and (B) by inserting "or section 3202 (as the case may be)" after "section 3102".

(e) Section 6652(c) of such Code (relating to failure to report tips) is amended (1) by inserting "or which are compensation (as defined in section 3231(e))" after "which are wages (as defined in section 3121(a))", and (2) by inserting "or section 3201 (as the case may be)" after "section 3101".

Ante, p. 385.

50 Stat. 309.
45 USC 228a.

(f)(1) Subsection (h) of section 1 of the Railroad Retirement Act of 1937 is amended (A) by inserting "(1)" after "(h)", (B) by inserting in the second sentence thereof "(except as is provided under paragraph (2))" after "tips", and (C) by adding at the end thereof the following new paragraphs:

"(2) Solely for purposes of determining amounts to be included in the compensation of an individual who is an employee (as defined in subsection (b)) the term 'compensation' shall (subject to section 3(c)) also include cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than $20.

"(3) Tips included as compensation by reason of the provisions of paragraph (2) shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) of the Internal Revenue Code of 1954 or (if no statement including such tips is so furnished) at the time received; and tips so deemed to be paid in any month shall be deemed paid for services rendered in such month."

Ante, p. 384.

INCREASE IN BASE FOR BENEFIT COMPUTATION PURPOSES

77 Stat. 219.
45 USC 228c.

SEC. 3. (a) Subsection (a) of section 3 of the Railroad Retirement Act of 1937 is amended by striking out "the next $300" and inserting in lieu thereof the following: "the remainder up to a total 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".

68A Stat. 417.
26 USC 3121.
60 Stat. 728.

(b) The second sentence of subsection (c) of such section 3 is amended by inserting before ", shall be recognized" the following: "and before the calendar month next following the calendar month in which this Act was amended in 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 calendar month after the month in which this Act was so amended".

73 Stat. 27;
77 Stat. 220.
45 USC 228e.

(c) Subsection (f)(2) of section 5 of such Act is amended by inserting after "so amended" where it appears the second time in the first parenthetical phrase after clause (vi) the following: "and before the calendar month next following the month in which this Act was amended in 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 the month in which this Act was so amended".

65 Stat. 689.

(d) Subsection (l)(9) of section 5 of such Act is amended—

(1) by striking out "and" where it appears the fourth time and inserting in lieu thereof a comma;

(2) by inserting after "so amended" where it appears the second time the following: "and before the calendar month next following the calendar month in which this Act was amended in 1965, and any excess over (i) $450, or (ii) an amount equal to one-twelth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, for any calendar month after the month in which this Act was so amended";

Ante, p. 400.

(3) by striking out "$6,600" both times it appears in such subsection and inserting in lieu thereof "an amount equal to the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954"; and

(4) by striking out "$450" where it appears the second time and inserting in lieu thereof "(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,". 68A Stat. 417. 26 USC 3121.

(e) Subsection (l)(10) of section 5 of such Act is amended by striking out "$450" and inserting in lieu thereof "(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". 60 Stat. 734; 77 Stat. 220. 45 USC 228e.

INCREASE IN BASE FOR TAX PURPOSES

SEC. 4. Sections 3201, 3202, 3211, and 3221 of the Internal Revenue Code of 1954 (relating to taxes under the Railroad Retirement Tax Act) are each amended by inserting after the phrase "or $450 for any calendar month after the month in which this provision was so amended", wherever such phrase appears in such sections, the following: "and before the calendar month next following the calendar month in which this provision was amended in 1965, or (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 the month in which this provision was so amended". 77 Stat. 221. 26 USC 3201, 3202, 3211, 3221.

CHANGES IN TAX RATES

SEC. 5. (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 paragraphs (1) and (2) and inserting in lieu thereof the following: 73 Stat. 28.

"(1) 6¼ percent of so much of the compensation paid to such employee for services rendered by him after September 30, 1965,

"(2) 6½ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1965,

"(3) 6¾ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1966,

"(4) 7 percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1967, and

"(5) 7¼ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1968,".

(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 paragraphs (1) and (2) and inserting in lieu thereof the following:

"(1) 12½ percent of so much of the compensation paid to such employee representative for services rendered by him after September 30, 1965,

"(2) 13 percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1965,

"(3) 13½ percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1966,

"(4) 14 percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1967, and

"(5) 14½ percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1968,".

73 Stat. 29.
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 paragraphs (1) and (2) and inserting in lieu thereof the following:

"(1) 6¼ percent of so much of the compensation paid by such employer for services rendered to him after September 30, 1965,

"(2) 6½ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1965,

"(3) 6¾ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1966,

"(4) 7 percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1967, and

"(5) 7¼ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1968,".

EFFECTIVE DATES

SEC. 6. The amendments made by sections 1 and 3 of this Act shall take effect with respect to annuities accruing and deaths occurring in months after the month in which this Act is enacted, and shall apply also to annuities paid in lump sums equal to their commuted value because of a reduction in such annuities under section 2(e) of the Railroad Retirement Act of 1937, as in effect before the amendments made by this Act, as if such annuities had not been paid in such lump sums: *Provided, however*, That the amounts of such annuities which were paid in lump sums equal to their commuted value shall not be included in the amount of annuities which become payable by reason of section 1 of this Act. The amendments made by section 2 of this Act shall apply only with respect to tips received after 1965. The amendments made by section 4 of this Act shall apply only with respect to calendar months after the month in which this Act is enacted. The amendments made by section 5 of this Act shall apply only with respect to compensation paid for services rendered after September 30, 1965.

65 Stat. 683.
45 USC 228b.

Approved September 29, 1965.

Public Law 89-213

AN ACT

September 29, 1965
[H. R. 9221]

Making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

Department of Defense Appropriation Act, 1966.

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, 1966, 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); $4,092,291,000, and, in addition $240,000,000 of which $210,000,000 shall be derived by transfer from the Army stock fund and the Defense stock fund and $30,000,000 shall be derived by transfer from the Army industrial fund: *Provided*, That not to exceed $12,300,000 of the unobligated balance of the appropriation made under this head for the fiscal year 1963, and subsequently withdrawn under the Act of July 25, 1956 (31 U.S.C. 701), may be restored and transferred to the appropriation accounts under this head for the fiscal years 1956, 1957, and 1961.

70 Stat. 647.

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; $3,055,000,000, and, in addition $120,000,000 which shall be derived by transfer from the Navy stock fund and the Defense stock fund.

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); $749,900,000, and, in addition $25,000,000 which shall be derived by transfer from the Marine Corps stock fund and the Defense stock fund.

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; $4,393,800,000, and, in addition $85,000,000 which shall be derived by transfer from the Air Force stock fund and the Defense stock fund: *Provided*, That not to exceed $45,800,000 in the aggregate of the unobligated balances of appropriations made under this head for the fiscal years 1961 and 1962, and subsequently withdrawn under the Act of July 25, 1956 (31 U.S.C. 701), may be restored and transferred to the appropriation accounts under this head for the fiscal years 1958 and 1959.

70 Stat. 647.

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; $238,600,000: *Provided*, That the Army Reserve will be programed to attain an end strength of two hundred seventy thousand for fiscal year 1966.

70A Stat. 11, 161.

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, regular and contract enrollees in the Naval Reserve Officers' Training Corps, and retainer pay, as authorized by law; $105,100,000.

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 State Code, or while undergoing reserve training, or while performing drills or equivalent duty, as authorized by law; $33,000,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under section 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; $60,500,000.

70A Stat. 491.

NATIONAL GUARD PERSONNEL, ARMY

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; $271,800,000: *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 end strength of not less than three hundred eighty thousand for fiscal year 1966.

70A Stat. 198, 614.

70A Stat. 599.

NATIONAL GUARD PERSONNEL, AIR FORCE

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; $71,300,000: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

70A Stat. 11, 491, 524, 614.

70A Stat. 599.

RETIRED PAY, DEFENSE

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; $1,529,000,000.

70A Stat. 108; 75 Stat. 810. 10 USC 1431-1446.

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 $4,308,000 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; $3,483,600,000, of which not less than $225,000,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, ARMY, 1962 (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Operation and maintenance, Army, 1962" for liquidation of obligations incurred pursuant to authority contained in subsection (c) of section 612 of the Department of Defense Appropriation Act, 1962, $54,044,000.

75 Stat. 377.

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 $9,825,000 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; $3,332,100,000, of which not less than $141,000,000 shall be available only for the maintenance of real property facilities, and not to exceed $1,169,000 may be transferred to the appropriation for "Salaries and expenses", Weather Bureau, Department of Commerce, fiscal year 1966 for the operation of ocean weather stations: *Provided*, That not to exceed $8,600,000 of the unobligated balance of the appropriation made under this head for the fiscal year 1960, and subsequently withdrawn under the Act of July 25, 1956 (31 U.S.C. 701), may be restored and transferred to the appropriation account for "Medical care, Navy," for the fiscal year 1958.

70A Stat. 442.

70A Stat. 647.

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; $192,500,000, of which not less than $20,462,000 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 $3,900,000 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; $4,464,100,000, of which not less than $258,000,000 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", Weather Bureau, Department of Commerce, fiscal year 1966, 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 $1,623,000 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; $533,490,000, of which not less than $11,400,000 shall be available only for the maintenance of real property facilities.

DEFENSE INDUSTRIAL FUND

For the Defense Industrial Fund, $30,000,000, to be derived by transfer from the Defense Stock Fund.

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

70A Stat. 614.

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); $208,800,000, 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; $238,000,000, 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 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; $459,000: *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; $24,000,000.

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; $579,000.

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 seven hundred and forty-one passenger motor vehicles 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; $1,204,800,000, to remain available until expended.

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; $2,272,500,000, to remain available until expended.

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 installation 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; $1,590,500,000, 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

Restriction.

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.

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 sixty passenger motor vehicles (including eight 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; $1,135,000,000, to remain available until expended.

40 USC 255.

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 sixty-nine passenger motor vehicles for replacement only; $43,800,000, 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; $3,517,000,000, 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 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; $796,100,000, 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 two thousand four hundred and twenty-eight passenger motor vehicles (including five medium sedans at not to exceed $3,000 each), 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; $829,100,000, to remain available until expended.

70A Stat. 590.

40 USC 255.

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 fifty passenger motor vehicles for replacement only; 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; $15,200,000, 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; $1,406,400,000, to remain available until expended.

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; $1,439,200,000, to remain available until expended.

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; $3,103,900,000, to remain available until expended: *Provided*, That of the funds appropriated in this paragraph, $22,000,000 shall be available only for development of advanced manned strategic aircraft and $150,000,000 shall be available only for the Manned Orbiting Laboratory program.

Manned Orbiting Laboratory program.

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; $495,000,000: *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," Coast and Geodetic Survey, Department of Commerce, fiscal year 1966, for the expenses of the Worldwide Seismological Network Program.

Transfer of funds.

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.

Restriction.

TITLE V—EMERGENCY FUND, SOUTHEAST ASIA

DEPARTMENT OF DEFENSE

EMERGENCY FUND, SOUTHEAST ASIA

For transfer by the Secretary of Defense, upon determination by the President that such action is necessary in connection with military activities in southeast Asia, to any appropriation available to the Department of Defense for military functions, to be merged with and to be available for the same purposes, and for the same time period as the appropriation to which transferred, $1,700,000,000, to remain available until expended: *Provided*, That transfers under this authority may be made and funds utilized, without regard to the provisions of subsection (b) of section 412 of Public Law 86-149, as amended, 10 U.S.C. 4774(d), 10 U.S.C. 9774(d), section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and 41 U.S.C. 12.

Ante, p. 128.
79A Stat. 269, 590.

TITLE VI

GENERAL PROVISIONS

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.

Experts or consultants.

60 Stat. 810.

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.

Employment of noncitizens.

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.

Availability of appropriations.

Restriction.

Post, p. 1111.

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.

Prisoners of war, etc.

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.

Land acquisition.

72 Stat. 1459; 76 Stat. 511.

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

Dependents' schooling.

64 Stat. 1100; *Ante*, p. 27.

70A Stat. 442.

exceeding an average of $455 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 the foregoing amount may be exceeded to the extent necessary to provide for any increase in tuition payments required by law to be made to the Canal Zone Government during the current fiscal year; (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.

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.

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 welfare 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.

Articles for prisoners, etc.
70A Stat. 443.

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.

Assistance to small business.

SEC. 609. No appropriation contained in this Act shall be available for expenses of operation of messes (other than organized messes the

Mess operations.

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 deductions 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.

Apportionment of funds, exemption.

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.

31 USC 665.

Airborne alert expenses.

(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).

Increased military personnel, 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).

Report to congressional committees.

(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).

Commissary stores.

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.

Proficiency flying.

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 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.

76 Stat. 461; 77 Stat. 215, 216.

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 excess of eleven thousand pounds net in any one shipment.

Vessel transfer.

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, 1966.

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 congressional committees 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 expenditures are specifically authorized in other appropriations of the service concerned.

70A Stat. 134.

Tuition payments, etc., restriction.

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.

ROTC, loyalty requirement.

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.

Procurement restrictions.

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.

Bakery, laundry facilities.

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.

Airmail; reimbursement.

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.

Furnishings, resale.

SEC. 626. Appropriations contained in this Act shall be available for the purchase of household furnishings 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 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.

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 Air Transport Service, $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.

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.

Sea transportation.

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.

Civilian clothing.

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.

Report to congressional committees.

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.

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 realinement or reorganization of the Army Reserve Components, the Secretary may transfer the balances

Army Reserve Components.

of appropriations made in this Act for the support of the Army Reserve Components to the extent necessary to implement such a realinement or reorganization; and the provisions in this Act establishing strengths for the Army Reserve and the Army National Guard shall cease to be effective.

Prohibition.

SEC. 640. None of the funds provided in this Act shall be available for the expenses of the Special Training Enlistment Program (STEP).

Short title.

SEC. 641. This Act may be cited as the "Department of Defense Appropriation Act, 1966".

Approved September 29, 1965.

Public Law 89-214

September 29, 1965
[S. 2127]

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.

Armed Forces, Indemnity Insurance.
72 Stat. 1148.
38 USC 701 *et seq.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 19 of title 38, United States Code, is amended by redesignating "**Subchapter III—General**" thereof as "**Subchapter IV—General**" and by inserting immediately after subchapter II thereof the following new subchapter III:

"Subchapter III—Servicemen's Group Life Insurance

"§ 765. Definitions

"For the purpose of this subchapter—

"(1) The term 'active duty' means full-time duty as a commissioned or warrant officer, or as an enlisted member of a uniformed service under a call or order to duty that does not specify a period of thirty days or less.

"(2) The term 'member' means a person on active duty in the uniformed services in a commissioned, warrant, or enlisted rank or grade.

"(3) The term 'uniformed services' means the Army, Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, and Environmental Science Services Administration.

"§ 766. Eligible insurance companies

"(a) The Administrator is authorized, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), to purchase from one or more life insurance companies a policy or policies of group life insurance to provide the benefits specified in this subchapter. Each such life insurance company must (1) be licensed to issue life insurance in each of the fifty States of the United States and in the District of Columbia, and (2) as of the most recent December 31 for which information is available to the Administrator, have in effect at least 1 per centum of the total amount of group life insurance which all life insurance companies have in effect in the United States.

"(b) The life insurance company or companies issuing such policy or policies shall establish an administrative office at a place and under a name designated by the Administrator.

"(c) The Administrator shall arrange with the life insurance company or companies issuing any policy or policies under this subchapter to reinsure, under conditions approved by him, portions of the total

amount of insurance under such policy or policies with such other life insurance companies (which meet qualifying criteria set forth by the Administrator) as may elect to participate in such reinsurance.

"(d) The Administrator may at any time discontinue any policy or policies which he has purchased from any insurance company under this subchapter.

"§ 767. Persons insured; amount

"(a) Any policy of insurance purchased by the Administrator under section 766 of this title shall automatically insure any member of the uniformed services on active duty against death in the amount of $10,000 from the first day of such duty, or from the date certified by the Administrator to the Secretary concerned as the date Servicemen's Group Life Insurance under this subchapter takes effect, whichever date is the later date, unless such member elects in writing (1) not to be insured under this subchapter, or (2) to be insured in the amount of $5,000.

"(b) If any member elects not to be insured under this subchapter or to be insured in the amount of $5,000, he may thereafter be insured under this subchapter or insured in the amount of $10,000 under this subchapter, as the case may be, upon written application, proof of good health, and compliance with such other terms and conditions as may be prescribed by the Administrator.

"§ 768. Termination of coverage; conversion

"Each policy purchased under this subchapter shall contain a provision, in terms approved by the Administrator, to the effect that any insurance thereunder on any member of the uniformed services shall cease (except in the case of members absent without leave) one hundred and twenty days after his separation or release from active duty, and that during the period such insurance is in force the insured upon request to the administrative office established under subsection 766(b) of this title shall be furnished a list of life insurance companies participating in the program established under this subchapter and upon written application (within such period) to the participating company selected by the insured and payment of the required premiums be granted insurance without a medical examination on a plan then currently written by such company which does not provide for the payment of any sum less than the face value thereof or for the payment of an additional amount as premiums if the insured engages in the military service of the United States, to replace the Servicemen's Group Life Insurance in effect on the insured's life under this subchapter. In addition to life insurance companies participating in the program established under this subchapter, such list shall include additional life insurance companies (not so participating) which meet qualifying criteria, terms, and conditions established by the Administrator and agree to sell insurance to members and former members in accordance with the provisions of the preceding sentence. In the case of any member who is absent without leave for a period of more than thirty-one days, insurance under this subchapter shall cease as of the date such absence commenced. Any such member so absent without leave, upon return to duty, may again be insured under this subchapter, but only if he complies with the requirements set forth in section 767(b) of this section.

"§ 769. Deductions; payment; investment; expenses

"(a) During any period in which a member is insured under a policy of insurance purchased by the Administrator, under section 766 of this title, there shall be deducted each month from his basic or other pay until separation or release from active duty an amount determined

by the Administrator (which shall be the same for all such members) as the share of the cost attributable to insuring such member under such policy, less any costs traceable to the extra hazard of active duty in the uniformed service. Any amount not deducted from the basic or other pay of a member insured under this subchapter while on active duty, if not otherwise paid, shall be deducted from the proceeds of any insurance thereafter payable. The initial monthly amount determined by the Administrator to be charged under this subsection for insurance under this subchapter may be continued from year to year, except that the Administrator may redetermine such monthly amount from time to time in accordance with experience. No refunds will be made to any member of any such amount properly deducted from his basic or other pay to cover the insurance granted under this subchapter.

"(b) For each month for which any member is so insured, there shall be contributed from the appropriation made for his pay an amount determined by the Administrator and certified to the Secretary concerned to be the cost of such insurance which is traceable to the extra hazard of active duty in the uniformed services. Such cost shall be determined by the Administrator on the basis of the excess mortality suffered by members and former members of the uniformed services insured under this subchapter above that incurred by the male civilian population of the United States of the same age as the median age of members of the uniformed services (disregarding a fraction of a year) as shown by the records of the uniformed services, the primary insurer or insurers, and the Department of Health, Education, and Welfare, together with the most current estimates of such mortality. The Administrator is authorized to make such adjustments regarding such contributions from pay appropriations as may be indicated from actual experience.

"(c) An amount equal to the first amount due on any such insurance may be advanced from current appropriations for active-service pay to any such member, which amount shall constitute a lien upon any service or other pay accruing to the person from whom such advance was made and shall be collected therefrom if not otherwise paid. No disbursing or certifying officer shall be responsible for any loss incurred by reason of such advance.

"(d)(1) The sums withheld from the basic or other pay of members under subsection (a) of this section, and the sums contributed from appropriations under subsection (b) of this section, together with the income derived from any dividends or premium rate adjustments received from insurers shall be deposited to the credit of a revolving fund established in the Treasury of the United States. All premium payments and extra hazard costs on any insurance policy or policies purchased under section 766 of this title and the administrative cost to the Veterans' Administration of insurance issued under this subchapter shall be paid from the revolving fund.

"(2) The Administrator is authorized to set aside out of the revolving fund such amounts as may be required to meet the administrative costs to the Veterans' Administration of insurance issued under this subchapter and all current premium payments and extra hazard costs on any insurance policy or policies purchased under section 766 of this title. The Secretary of the Treasury is authorized to invest in and to sell and retire special interest-bearing obligations of the United States for the account of the revolving fund. Such obligations issued for this purpose shall have maturities fixed with due regard for the needs of the fund and shall bear interest at a rate equal to the average market yield (computed by the Secretary of the Treasury on the basis of market quotations as of the end of the calendar month next preceding the date of issue) on 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 four years from the end of such calendar month; except that where such average market yield is not a multiple of one-eighth of 1 per centum, the rate of interest of such obligation shall be the multiple of one-eighth of 1 per centum nearest such market yield.

"(3) Notwithstanding the provisions of section 782 of this title, the Administrator shall, from time to time, determine the administrative costs to the Veterans' Administration which in his judgment are properly allocable to insurance issued under this subchapter and shall transfer such cost from the revolving fund to the appropriation 'General operating expenses, Veterans' Administration'. 72 Stat. 1165.

"§ 770. Beneficiaries; payment of insurance

"(a) Any amount of insurance under this subchapter in force on any member or former member on the date of his death shall be paid, upon the establishment of a valid claim therefor, to the person or persons surviving at the date of his death, in the following order of precedence:

"First, to the beneficiary or beneficiaries as the member or former member may have designated by a writing received in the uniformed services prior to such death;

"Second, if there be no such beneficiary, to the widow or widower of such member or former member;

"Third, if none of the above, to the child or children of such member or former member and descendants of deceased children by representation;

"Fourth, if none of the above, to the parents of such member or former member or the survivor of them;

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of such member or former member;

"Sixth, if none of the above, to other next of kin of such member or former member entitled under the laws of domicile of such member or former member at the time of his death.

"(b) If any person otherwise entitled to payment under this section does not make claim therefor within one year after the death of the member or former member, or if payment to such person within that period is prohibited by Federal statute or regulation, payment may be made in the order of precedence as if such person had predeceased the member or former member, and any such payment shall be a bar to recovery by any other person.

"(c) If, within two years after the death of the member or former member, no claim for payment has been filed by any person entitled under the order of precedence set forth in this section, and neither the Administrator nor the administrative office established by the insurance company or companies pursuant to section 766(b) of this title has received any notice that any such claim will be made, payment may be made to a claimant as may in the judgment of the Administrator be equitably entitled thereto, and such payment shall be a bar to recovery by any other person. If, within four years after the death of the member or former member, payment has not been made pursuant to this section and no claim for payment by any person entitled under this section is pending, the amount payable shall escheat to the credit of the revolving fund referred to in section 769(d).

"(d) The member may elect settlement of insurance under this subchapter either in a lump sum or in thirty-six equal monthly installments. If no such election is made by the member the beneficiary or beneficiaries may elect settlement either in a lump sum or in thirty-six equal monthly installments. If the member has elected settlement in

a lump sum, the beneficiary or beneficiaries may elect settlement in thirty-six equal monthly installments.

"§ 771. Basic tables of premiums; readjustment of rates

"(a) Each policy or policies purchased under section 766 of this title shall include for the first policy year a schedule of basic premium rates by age which the Administrator shall have determined on a basis consistent with the lowest schedule of basic premium rates generally charged for new group life insurance policies issued to large employers, this schedule of basic premium rates by age to be applied, except as otherwise provided in this section, to the distribution by age of the amount of group life insurance under the policy at its date of issue to determine an average basic premium per $1,000 of insurance. Each policy so purchased shall also include provisions whereby the basic rates of premium determined for the first policy year shall be continued for subsequent policy years, except that they may be readjusted for any subsequent year, based on the experience under the policy, such readjustment to be made by the insurance company or companies issuing the policy on a basis determined by the Administrator in advance of such year to be consistent with the general practice of life insurance companies under policies of group life insurance issued to large employers.

"(b) The total premiums for the policy or policies shall be the sum of the amounts computed according to the provisions of subsection (a) above and the estimated costs traceable to the extra hazard of active duty in the uniformed services as determined by the Administrator, subject to the provision that such estimated costs traceable to the extra hazard shall be retroactively readjusted annually in accordance with section 769(b).

"(c) Each policy so purchased shall include a provision that, in the event the Administrator 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 subsequent year of insurance thereunder would not be possible except at a disproportionately high expense, the Administrator may approve the determination of a tentative average group life premium, for the first or any subsequent policy year, in lieu of using the actual age distribution. Such tentative average premium rate shall be redetermined by the Administrator during any policy year upon request by the insurance company or companies issuing the policy, if experience indicates that the assumptions made in determining the tentative average premium rate for that policy year were incorrect.

"(d) Each policy so purchased shall contain a provision stipulating the maximum expense and risk charges for the first policy year, which charges shall have been determined by the Administrator on a basis consistent with the general level of such charges made by life insurance companies under policies of group life insurance issued to large employers. Such maximum charges shall be continued from year to year, except that the Administrator may redetermine such maximum charges for any year either by agreement with the insurance company or companies issuing the policy or upon written notice given by the Administrator to such companies at least one year in advance of the beginning of the year for which such redetermined maximum charges will be effective.

"(e) Each such policy shall provide for an accounting to the Administrator not later than ninety days after the end of each policy year, which shall set forth, in a form approved by the Administrator, (1) the amounts of premiums actually accrued under the policy from its date of issue to the end of such policy year, (2) the total of all mor-

tality and other claim charges incurred for that period, and (3) the amounts of the insurers' expense and risk charge for that period. Any excess of the total of item (1) over the sum of items (2) and (3) shall be held by the insurance company or companies issuing the policy as a special contingency reserve to be used by such insurance company or companies for charges under such policy only, such reserve to bear interest at a rate to be determined in advance of each policy year by the insurance company or companies issuing the policy, which rate shall be approved by the Administrator as being consistent with the rates generally used by such company or companies for similar funds held under other group life insurance policies. If and when the Administrator determines that such special contingency reserve has attained an amount estimated by the Administrator to make satisfactory provision for adverse fluctuations in future charges under the policy, any further excess shall be deposited to the credit of the revolving fund established under section 766 of this title. If and when such policy is discontinued, and if after all charges have been made, there is any positive balance remaining in such special contingency reserve, such balance shall be deposited to the credit of the revolving fund, subject to the right of the insurance company or companies issuing the policy to make such deposit in equal monthly installments over a period of not more than two years.

"§ 772. Benefit certificates

"The Administrator shall arrange to have each member insured under a policy purchased under section 766 of this title receive a certificate setting forth the benefits to which the member is entitled thereunder, to whom such benefit shall be payable, to whom claims should be submitted, and summarizing the provisions of the policy principally affecting the member. Such certificate shall be in lieu of the certificate which the insurance company or companies would otherwise be required to issue.

"§ 773. Forfeiture

"Any person guilty of mutiny, treason, spying, or desertion, or who, because of conscientious objections, refuses to perform service in the Armed Forces of the United States or refuses to wear the uniform of such force, shall forfeit all rights to Servicemen's Group Life Insurance under this subchapter. No such insurance shall be payable for death inflicted as a lawful punishment for crime or for military or naval offense, except when inflicted by an enemy of the United States.

"§ 774. Advisory Council on Servicemen's Group Life Insurance

"There is hereby established an Advisory Council on Servicemen's Group Life Insurance consisting of the Secretary of the Treasury as Chairman, the Secretary of Defense, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, and the Director of the Bureau of the Budget, each of whom shall serve without additional compensation. The Council shall meet once a year, or oftener at the call of the Administrator, and shall review the operations under this subchapter and advise the Administrator on matters of policy relating to his activities thereunder.

"§ 775. Jurisdiction of District Courts

"The district courts of the United States shall have original jurisdiction of any civil action or claim against the United States founded upon this subchapter.

"§ 776. Effective date

"The insurance provided for in this subchapter and the deductions and contributions for that purpose shall take effect on the date desig-

nated by the Administrator and certified by him to each Secretary concerned."

72 Stat. 1115.

(b) Section 211(a) of title 38, United States Code, is amended by inserting "775," immediately before "784".

SEC. 2. The analysis of chapter 19 of title 38, United States Code, is amended (1) by redesignating "SUBCHAPTER III—GENERAL" as "SUBCHAPTER IV—GENERAL" and (2) by inserting after

"760. Waiver of premium payment on due date."

the following:

"SUBCHAPTER III—SERVICEMEN'S GROUP LIFE INSURANCE

"Sec.
"765. Definitions.
"766. Eligible insurance companies.
"767. Persons insured; amount.
"768. Termination of coverage; conversion.
"769. Deductions; payment; investment; expenses.
"770. Beneficiaries; payment of insurance.
"771. Basic tables of premiums; readjustment of rates.
"772. Benefit certificates.
"773. Forfeiture.
"774. Advisory Council on Servicemen's Group Life Insurance.
"775. Jurisdiction of District Courts.
"776. Effective date."

SEC. 3. (a) In the case of each veteran who died or dies—

(1) as a direct result of actions of hostile forces;

(2) as a direct result of an accident involving a military or naval aircraft or an aircraft under charter to the Department of Defense, Army, Navy, or Air Force;

(3) as a direct result of the extra hazard of military or naval service, as such hazard may be determined by the Administrator; or

(4) while performing service for which incentive pay for hazardous duty or special pay is authorized by section 301, 304, or 310 of title 37, United States Code;

76 Stat. 461; 77 Stat. 215; *Ante*, p. 547.

while in the active military, naval, or air service during the period from January 1, 1957, to the date immediately preceding the date on which the Servicemen's Group Life Insurance program is placed in effect pursuant to section 776 of title 38, United States Code, both dates inclusive, the Administrator of Veterans' Affairs shall pay a death gratuity to the widow or widower, child or children, or parent or parents of such veteran, as provided in subsection (b), in an amount not exceeding $5,000, determined as provided in subsection (c), but only if (A) application is made for such death gratuity within one year after the date of enactment of this Act and (B) the person or persons receiving a death gratuity under this section waive all future rights to death compensation and dependency and indemnity compensation, under title 38, United States Code, on account of the death of such veteran.

Ante, p. 885.

(b) The death gratuity authorized by this section shall be paid to the following classes of persons and in the order named—

(1) to the widow or widower of the veteran, if living;

(2) if no widow or widower, to the child or children of the veteran, if living, in equal shares;

(3) if no widow, widower, or child, to the parent or parents of the veteran who last bore that relationship, if living, in equal shares.

(c) (1) The death gratuity authorized by this section shall be $5,000 reduced by the aggregate amount of (A) United States Government Life Insurance and National Service Life Insurance paid or payable

on account of the death of such veteran and (B) any death compensation or dependency and indemnity compensation received on account of the death of such veteran by the person or persons who receive such death gratuity.

(2) In any case where two or more persons are eligible for a death gratuity under this section on account of the death of the same veteran but one or more of such persons do not waive future death compensation or dependency and indemnity compensation payable under title 38, the Administrator shall pay his or their share of such death gratuity to the person or persons waiving such compensation. However, the death compensation or dependency and indemnity compensation payable to any other person shall not be increased solely as the result of an election and waiver under this section.

(3) The right of any person to payment of a death gratuity under this section shall be conditioned upon his being alive to receive such payment. No person shall have a vested right to any such payment and any payment not made during the person's lifetime shall be paid to the person or persons within the permitted class next entitled to priority, as provided in subsection (b).

(d) Any terms used in this section which are defined in section 101 or 102(b) of title 38, United States Code, shall, for the purposes of this section, have the meanings given to them by such section 101 or 102(b), except that (1) the term "veteran", as used in this section, includes a person who dies while in the active military, naval, or air service and (2) the term "child" shall not be limited with respect to age or marital status.

Definitions, exceptions. 72 Stat. 1106.

(e) Appropriations made to the Veterans' Administration for "Compensation and Pensions" shall be available for the payment of death gratuities under this section.

Approved September 29, 1965.

Public Law 89-215

AN ACT

September 29, 1965 [H. R. 3989]

To extend to thirty days the time for filing petitions for removal of civil actions from State to Federal courts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1446 of title 28, United States Code, is amended to read as follows:

State courts. Time for filing removal petitions. 63 Stat. 101.

"(b) The petition for removal of a civil action or proceeding shall be filed within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based, or within thirty days after the service of summons upon the defendant if such initial pleading has then been filed in court and is not required to be served on the defendant, whichever period is shorter.

"If the case stated by the initial pleading is not removable, a petition for removal may be filed within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable."

Approved September 29, 1965.

Public Law 89-216

September 29, 1965
[H. R. 5883]

AN ACT

To amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act.

Labor-Management Reporting and Disclosure Act of 1959, amendments.
Bonding provisions.
73 Stat. 536.
29 USC 502.

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 502(a) of the Labor-Management Reporting and Disclosure Act of 1959 is amended by striking out "for the faithful discharge of his duties" and substituting therefor the following: "to provide protection against loss by reason of acts of fraud or dishonesty on his part directly or through connivance with others", and by inserting before the period at the end of such subsection the following: ": *Provided*, That when in the opinion of the Secretary a labor organization has made other bonding arrangements which would provide the protection required by this section at comparable cost or less, he may exempt such labor organization from placing a bond through a surety company holding such grant of authority".

29 USC 435.

SEC. 2. (a) Subsection (a) of section 205 of the Labor-Management Reporting and Disclosure Act is amended by striking out "and 203" and inserting in lieu thereof "203, and 211".

(b) Subsection (b) of such section is amended by striking out "or 203" and inserting in lieu thereof "203, or 211".

(c) Subsection (c) of such section is amended by striking out "or 203" and inserting in lieu thereof "203, or 211".

29 USC 437.

(d) Subsection (b) of section 207 of such Act is amended by striking out "or the second sentence of section 203(b)" both times it appears and inserting in lieu thereof "the second sentence of section 203(b), or section 211".

SEC. 3. Title II of the Labor-Management Reporting and Disclosure Act of 1959 is amended by adding at the end thereof the following new section:

"SURETY COMPANY REPORTS

72 Stat. 997.
29 USC 301 note.

"SEC. 211. Each surety company which issues any bond required by this Act or the Welfare and Pension Plans Disclosure Act shall file annually with the Secretary, with respect to each fiscal year during which any such bond was in force, a report, in such form and detail as he may prescribe by regulation, filed by the president and treasurer or corresponding principal officers of the surety company, describing its bond experience under each such Act, including information as to the premiums received, total claims paid, amounts recovered by way of subrogation, administrative and legal expenses and such related data and information as the Secretary shall determine to be necessary in the public interest and to carry out the policy of the Act. Notwithstanding the foregoing, if the Secretary finds that any such specific information cannot be practicably ascertained or would be uninformative, the Secretary may modify or waive the requirement for such information."

Approved September 29, 1965.

Public Law 89-217

AN ACT

To amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia.

September 29, 1965
[H. R. 948]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16-902 of the District of Columbia Code is amended to read as follows:

District of Columbia Code. Divorce, legal separation, and annulment. 77 Stat. 560.

"§ 16-902. Residence requirements

"No action for divorce shall be maintainable unless one of the parties to the marriage has been a bona fide resident of the District of Columbia for at least one year next preceding the commencement of the action. No action for annulment of a marriage performed outside the District of Columbia shall be maintainable unless one of the parties is a bona fide resident of the District of Columbia at the time of the commencement of the action. No action for the affirmance of any marriage shall be maintainable unless one of the parties is a bona fide resident of the District of Columbia at the time of the commencement of the action. The residence of the parties to an action for annulment of a marriage performed in the District of Columbia shall not be considered in determining whether such action shall be maintainable."

SEC. 2. Section 16-904 of the District of Columbia Code is amended to read as follows:

"§ 16-904. Grounds for divorce, legal separation and annulment

"(a) A divorce from the bond of marriage or a legal separation from bed and board may be granted for adultery, actual or constructive desertion for one year, voluntary separation from bed and board for one year without cohabitation, or final conviction of a felony and sentence for not less than two years to a penal institution which is served in whole or in part. A legal separation from bed and board also may be granted for cruelty.

"(b) A judgment of legal separation from bed and board may be enlarged into a judgment of divorce from the bond of marriage upon application of the innocent party, a copy of which shall be duly served upon the adverse party, after the separation of the parties has been continuous for one year next before the making of the application.

"(c) Marriage contracts may be declared void in the following cases:

"First. Where such marriage was contracted while either of the parties thereto had a former wife or husband living, unless the former marriage had been lawfully dissolved.

"Second. Where such marriage was contracted during the lunacy of either party (unless there has been voluntary cohabitation after the discovery of the lunacy).

"Third. Where such marriage was procured by fraud or coercion.

"Fourth. Where either party was matrimonially incapacitated at the time of marriage and has continued so.

"Fifth. Where either of the parties had not arrived at the age of legal consent to the contract of marriage (unless there has been voluntary cohabitation after coming to legal age), but in such cases only at the suit of the party not capable of consenting."

SEC. 3. Section 16-916 of the District of Columbia Code is amended to read as follows:

"§ 16-916. Maintenance of wife and minor children; maintenance of former wife; enforcement

"(a) Whenever any husband shall fail or refuse to maintain his wife, minor children, or both, although able to do so, or whenever any father

shall fail or refuse to maintain his children by a marriage since dissolved, although able to do so, the court, upon proper application, may decree, pendente lite and permanently, that he shall pay reasonable sums periodically for the support of such wife and children, or such children, as the case may be, and the court may decree that he pay suit money, including counsel fees, pendente lite and permanently, to enable plaintiff to conduct the case.

"(b) Whenever a former husband has obtained a foreign ex parte divorce, the court thereafter, on application of the former wife and with personal service of process upon the former husband in the District of Columbia, may decree that he shall pay her reasonable sums periodically for her maintenance and for suit money, including counsel fees, pendente lite and permanently, to enable plaintiff to conduct the case.

"(c) The Court may enforce any decree entered under this section in the same manner as is provided in section 16-911 of the District of Columbia Code."

77 Stat. 563.

SEC. 4. Section 16-920 of the District of Columbia Code is amended to read as follows:

"§ 16-920. Effective date of decree for annulment or absolute divorce

"A decree, annulling or dissolving a marriage, or granting an absolute divorce, shall not become effective until the time for noting an appeal shall have expired, and, if notice of appeal has been entered, such decree shall not become effective until the date of the final disposition of the appeal."

Approved September 29, 1965.

Public Law 89-218

September 29, 1965
[H. R. 6294]

AN ACT

To authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes.

U.S. Secret Service.
Power extension.
65 Stat. 122.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18, United States Code, section 3056, is amended as follows—

(1) By inserting the following sentence immediately preceding the last sentence thereof: "In the performance of their duties under this section, the Chief, Deputy Chief, Assistant Chief, inspectors, and agents of the Secret Service are authorized to make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony."; and

(2) By striking out "508 and 509" and inserting in lieu thereof "508, 509, and 871".

Approved September 29, 1965.

Public Law 89-219

AN ACT

September 29, 1965
[S. 906]

To provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes.

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:

Vessels. Gross and net tonnage measurements.

(a) The term "uppermost complete deck" means the uppermost complete deck of a vessel exposed to sea and weather, which shall be deemed to be that deck which has permanent means of closing all openings in the weather portions thereof, provided that any opening in the side of the vessel below that deck, other than an opening abaft a transverse watertight bulkhead placed aft of the rudder stock, is fitted with permanent means of watertight closing.

(b) The term "second deck" means the deck next below the uppermost complete deck which is continuous in a fore-and-aft direction at least between peak bulkheads, is continuous athwartships, is fitted as an integral and permanent part of the vessel's structure, and has proper covers to all main hatchways. Interruptions in way of propelling machinery space openings, ladder and stairway openings, trunks, chain lockers, cofferdams, or steps not exceeding a total height of forty-eight inches shall not be deemed to break the continuity of the deck.

(c) The term "trunks" as used in the definition of second deck shall be deemed to refer to hatch or ventilation trunks which do not extend longitudinally completely between main transverse bulkheads.

(d) The term "Secretary" means the Secretary of the Treasury.

Exclusion of certain cargo space.

SEC. 2. In the measurement of a vessel under sections 4148, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 71, 75, 77), upon application of the owner and approval by the Secretary, there shall be omitted from inclusion in the gross tonnage—

(a) those spaces available for the carriage of dry cargo or stores which are located between the uppermost complete deck and the second deck, and other spaces so located which would be omitted from gross tonnage under the provisions of section 4153 if above the upper deck, provided that a tonnage mark is placed and displayed on the vessel in accordance with the provisions of this Act, so long as that tonnage mark is not submerged;

(b) those spaces which are located on or above the uppermost complete deck and which are available for the carriage of dry cargo or stores, without regard to whether a tonnage mark is placed or displayed on the vessel or, if placed or displayed, without regard to whether that mark is submerged; and

(c) those spaces which are located on the uppermost complete deck and which are used for cabins or staterooms, provided that a tonnage mark is placed and displayed on the vessel, so long as that tonnage mark is not submerged.

Tonnage mark.

SEC. 3. The tonnage mark shall be a horizontal line, upon which shall be placed for identification an inverted equilateral triangle, with its apex on the midpoint of the line. The mark shall be placed and displayed on each side of the vessel, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

Location of mark.

SEC. 4. No tonnage mark shall be required to be placed or displayed above the statutory summer loadline prescribed in accordance with the

applicable loadline convention, except that, when a vessel's statutory loadline is assigned on the assumption that the second deck is the freeboard deck, the tonnage mark may be permitted to be placed and displayed on a line level with the uppermost part of the loadline grid.

SEC. 5. Except when the tonnage mark is placed and displayed on the vessel at the level prescribed in section 4 hereof, an additional line may be added to the tonnage mark, subject to such specifications as to location and dimensions as are prescribed in regulations issued under this Act.

Submerged tonnage mark.

SEC. 6. The tonnage mark shall be deemed to be submerged when the upper edge of the mark is under water, except that if the vessel is marked with the additional line in accordance with section 5 of this Act and is in fresh water or in tropical waters the tonnage mark shall not be deemed to be submerged unless the upper edge of the additional line is under water.

Measurement certificate.

SEC. 7. In a case in which a vessel measured under this Act and other applicable statutes has a tonnage mark placed and displayed at a place other than a line level with the uppermost part of the loadline grid, any measurement certificate or marine document reciting tonnages issued to such vessel shall show the gross and net tonnages applicable when the tonnage mark is submerged and the gross and net tonnages applicable when the mark is not submerged. In any other case in which a vessel is measured under this Act and other applicable statutes, any measurement certificate or marine document reciting tonnages issued to such vessel shall show only one set of gross and net tonnages, taking into account all applicable omissions or exemptions.

SEC. 8. In a case in which an application for omission of spaces is filed under section 2 of this Act for a vessel for which a statutory loadline is not required and is not assigned, the line of the uppermost complete deck shall be marked in the manner specified for marking the deck line in the international loadline convention in force.

SEC. 9. Section 4149 of the Revised Statutes (46 U.S.C. 72) is amended to read as follows:

"SEC. 4149. The Secretary of the Treasury shall prescribe how evidence of admeasurement shall be given."

SEC. 10. Section 4150 of the Revised Statutes (46 U.S.C. 74) is amended to read as follows:

"SEC. 4150. A vessel's marine document shall specify such identifying dimensions, measured in such manner, as the Secretary of the Treasury may prescribe."

SEC. 11. Section 4153 of the Revised Statutes (46 U.S.C. 77) is amended by inserting before the first paragraph the following:

"The tonnage deck, in vessels having three or more decks to the hull, shall be the second deck from below; in all other cases the upper deck of the hull is to be the tonnage deck. All measurements are to be taken in feet and decimal fractions of feet."

Regulations by Secretary.
Penalties.

SEC. 12. The Secretary shall make such regulations as may be necessary to carry out the provisions of this Act.

SEC. 13. Any person who makes a false, fictitious, or fraudulent statement or representation in any matter in which such statement or representation is required to be made to the Secretary in any regulation issued under this Act shall be subject to a penalty of not more than $1,000 for each such statement or representation.

SEC. 14. If any tonnage mark required to be placed and displayed on a vessel in any regulation issued under this Act by the Secretary is not so placed or displayed or if the mark at any time shall cease

to be continued on the vessel, such vessel shall be subject to a penalty of $30 on every subsequent arrival in a port of the United States.

SEC. 15. Any penalty incurred under this Act may be remitted or mitigated by the Secretary under the provisions of section 5294 of the Revised Statutes, as amended (46 U.S.C. 7).

Penalty remitted.

Approved September 29, 1965.

Public Law 89-220

AN ACT

September 30, 1965
[S. 1588]

To authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, consistent with the objective of promoting a safe, adequate, economical, and efficient national transportation system, the Secretary of Commerce (hereafter in this Act referred to as the "Secretary") is authorized to undertake research and development in high-speed ground transportation, including, but not limited to, components such as materials, aerodynamics, vehicle propulsion, vehicle control, communications, and guideways.

High-speed ground transportation study.

SEC. 2. The Secretary is authorized to contract for demonstrations to determine the contributions that high-speed ground transportation could make to more efficient and economical intercity transportation systems. Such demonstrations shall be designed to measure and evaluate such factors as the public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. In connection with contracts for demonstrations under this section, the Secretary shall provide for financial participation by private industry to the maximum extent practicable.

Demonstration program.

SEC. 3. Nothing in this Act shall be deemed to limit research and development carried out under the first section or demonstrations contracted for under section 2 to any particular mode of high-speed ground transportation.

SEC. 4. The Secretary is authorized to collect and collate transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system. In carrying out this activity, the Secretary shall utilize the data, statistics, and other information available from Federal agencies and other sources of the greatest practicable extent. The data, statistics, and other information collected under this section shall be made available to other Federal agencies and to the public insofar as practicable.

Transportation data, collection.

SEC. 5. (a) There is hereby established in the Department of Commerce an advisory committee consisting of seven members who shall be appointed by the Secretary without regard to the civil service laws. The Secretary shall designate one of the members of the Advisory Committee as its Chairman. Members of the Advisory Committee shall be selected from among leading authorities in the field of transportation.

Advisory committee, establishment.

(b) The Advisory Committee shall advise the Secretary with respect to policy matters arising in the administration of this Act, particularly with respect to research and development carried out under the first section and contracts for demonstrations entered into under section 2.

Duties.

SEC. 6. (a) In carrying out the provisions of section 2 of this Act, the Secretary shall provide fair and equitable arrangements, as determined by the Secretary of Labor, to protect the interests of the

Common carrier employees, protective arrangements.

employees of any common carrier who are affected by any demonstration carried out under a contract between the Secretary and such carrier under such section. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) to such employees under existing collective-bargaining agreements, or otherwise; (2) the continuation of collective-bargaining rights; (3) the protection of such individual employees against a worsening of their positions with respect to their employment as a result of such demonstration; (4) assurances of priority of reemployment of employees terminated or laid off as a result of such demonstration; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment as the result of such demonstrations which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Interstate Commerce Act (49 U.S.C. 5). Any contract entered into pursuant to the provisions of section 2 of this Act shall specify the terms and conditions of such protective arrangements.

54 Stat. 905.

Labor standards.

(b) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of funds received under any contract or agreement entered into under this Act 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. The Secretary shall not enter into any such contract or agreement without first obtaining adequate assurance that required labor standards will be maintained upon the construction work. The Secretary of Labor shall have with respect to the labor standards specified in this subsection, 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).

49 Stat. 1011; 78 Stat. 238. 40 USC 276a-276a-5.

63 Stat. 108.

SEC. 7. In exercising the authority granted in the first section and section 2 of this Act, the Secretary may lease, purchase, develop, test, and evaluate new facilities, equipment, techniques, and methods and conduct such other activities as may be necessary, but nothing in this Act shall be deemed to authorize the Secretary to acquire any interest in any line of railroad.

Contracts with public or private agencies.

SEC. 8. (a)(1) In exercising the authority granted under this Act, the Secretary is authorized to enter into agreements and to contract with public or private agencies, institutions, organizations, corporations, and individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

(2) To the maximum extent practicable, the private agencies, institutions, organizations, corporations, and individuals with which the Secretary enters into such agreements or contracts to carry out research and development under this Act shall be geographically distributed throughout the United States.

(3) Each agreement or contract entered into under this Act under other than competitive bidding procedures, as determined by the Secretary, shall provide that the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, may, for the purpose of audit and examination, have access to any books, documents, papers, and records of the parties to such agreement

or contract which are pertinent to the operations or activities under such agreement or contract.

(b) The Secretary is authorized to appoint, subject to the civil service laws and regulations, such personnel as may be necessary to enable him to carry out efficiently his functions and responsibilities under this Act. The Secretary is further authorized to procure services as authorized by section 15 of the Act of August 3, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem, unless otherwise specified in an appropriation Act. 60 Stat. 810.

SEC. 9. In exercising the authority granted under this Act, the Secretary shall consult and cooperate, as he deems appropriate, with the Administrator of the Housing and Home Finance Agency and other departments and agencies, Federal, State, and local. The Secretary shall further consult and cooperate, as he deems appropriate, with institutions and private industry.

SEC. 10. (a) The Secretary shall report to the President and the Congress not less often than annually with respect to activities carried out under this Act. Reports to President and Congress.

(b) The Secretary shall report to the President and the Congress the results of his evaluation of the research and development program and the demonstration program authorized by this Act, and shall make recommendations to the President and the Congress with respect to such future action as may be appropriate in the light of these results and their relationship to other modes of transportation in attaining the objective of promoting a safe, adequate, economical, and efficient national transportation system.

(c) The Secretary shall, if requested by any appropriate committee of the Senate or House of Representatives, furnish such committee with information concerning activities carried out under this Act and information obtained from research and development carried out with funds appropriated pursuant to this Act. Availability of information.

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $20,000,000 for the fiscal year ending June 30, 1966; $35,000,000 for the fiscal year ending June 30, 1967; and $35,000,000 for the fiscal year ending June 30, 1968. Such sums shall remain available until expended. Appropriation.

SEC. 12. Except for section 4, this Act shall terminate on June 30, 1969. The termination of this Act shall not affect the disbursement of funds under, or the carrying out of, any contract commitment, or other obligation entered into pursuant to this Act prior to such date of termination. Termination date.

Approved September 30, 1965.

Public Law 89-221

JOINT RESOLUTION

September 30, 1965 [H. J. Res. 673]

Making continuing appropriations for the fiscal year 1966, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101 of the joint resolution approved June 30, 1965 (Public Law 89-58), as amended, is amended by adding a new subsection as follows: "(e) Such amounts as may be necessary for continuing Civil Supersonic Aircraft Development Activities which have been conducted in the fiscal year 1966 but at a rate for operations not in excess of the rate Continuing appropriations, 1966. *Ante*, p. 204.

provided in the supplemental estimate pending before the Congress until the enactment into law of the applicable appropriation", and section 102 is further amended by striking out "September 30, 1965" and inserting in lieu thereof "October 15, 1965", except as provided in section 101(e) hereof.

Ante, p. 614.

Approved September 30, 1965.

Public Law 89-222

September 30, 1965
[H. R. 205]

AN ACT

To amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program, and for other purposes.

War orphans' educational assistance allowances, increase.
72 Stat. 1198.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1732(a) of title 38, United States Code, is amended by striking out "$110", "$80", and "$50" and by inserting in lieu thereof "$130", "$95", and "$60", respectively.

(b) Section 1732(b) of such title is amended by striking out "$90" and by inserting "$105" in lieu thereof.

SEC. 2. Section 1742(a) of title 38, United States Code, is amended by striking out "$110", "$35" both times it appears, and "$3.60" and by inserting in lieu thereof "$130", "$41", "$41", and "$4.25", respectively.

SEC. 3. Paragraph (1) of subsection (a) of section 1701 of title 38, United States Code, is amended by striking out the third and fourth sentences and inserting in lieu thereof the following: "The standards and criteria for determining whether or not a disability arising out of such service is service connected shall be those applicable under chapter 11 of this title."

38 USC 301-360.

Effective date.

SEC. 4. The amendments made by the first and second sections of this Act shall take effect on the first day of the second calendar month following the date of enactment of this Act.

Approved September 30, 1965.

Public Law 89-223

October 1, 1965
[S. 1190]

AN ACT

To provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska.

Alaska.
Land disposition, authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of sections 4 and 5 of the Act entitled "An Act making an additional grant of lands for the support and maintenance of the Agricultural College and School of Mines of the Territory of Alaska, and for other purposes", as amended (48 U.S.C. 354a (c) and (d)), shall not apply to the sale, lease, mortgage, or other encumbrance of lot 1, northeast quarter of the northwest quarter, and the north half of the northeast quarter, section 29, township 28 south, range 56 east, Copper River meridian, Alaska, or to the sale or contract for the sale of any natural product derived from such lands.

45 Stat. 1091;
74 Stat. 408.

Approved October 1, 1965.

Public Law 89-224

AN ACT

October 1, 1965
[S. 664]

To provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes.

Klamath 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 is authorized and directed to distribute in accordance with the provisions of this Act the funds appropriated in satisfaction of a judgment obtained by the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, hereinafter called the Klamath Tribe for the purposes of the administration of this Act, from the Indian Claims Commission against the United States in docket numbered 100, and all other funds heretofore or hereafter deposited in the United States Treasury to the credit of the Klamath Tribe or any of its constituent parts or groups, except the funds heretofore or hereafter set aside for the purpose of paying the usual and necessary expenses of prosecuting claims against the United States.

SEC. 2. (a) A distribution shall be made of the funds resulting from docket numbered 100, including interest, after deducting litigation expenses and estimated costs of distribution to all persons whose names appear on the final roll of the Klamath Tribe, which roll was closed and made final as of August 13, 1954 (68 Stat. 718). Except as provided in subsections (b), (c), (d), and (e) of this section, a share or portion of a share payable to a living adult shall be paid directly to such adult; (b) a share payable to a deceased enrollee shall be paid to his heirs or legatees upon the filing of proof of death and inheritance satisfactory to the Secretary of the Interior, whose findings and determinations upon such proof shall be final and conclusive: *Provided*, That amounts payable to deceased heirs amounting to $5 or less shall not be paid, and such amounts shall remain in the United States Treasury to the credit of the Klamath Tribe; (c) a share payable to an adult under legal disability shall be paid to his legal representative; (d) a share payable to a person previously found to be in need of assistance under the provisions of section 15 of the Act of August 13, 1954, may be paid directly to the individual or, if the Secretary deems it in the best interest of the individual, it may be added to the trust now in force on behalf of said individual, with concurrence of the trustee; and (e) a share or portion of a share payable to a person under age of majority as determined by the laws of the State of residence shall be paid to a parent, legal guardian, or trustee of such minor.

25 USC 564.

SEC. 3. Within sixty days of the date of approval of this Act, the Secretary of the Interior shall commence to pay the share due to each living person whose name appears on the final roll of August 13, 1954. As to members who have died since promulgation of the final roll of August 13, 1954, the Secretary shall mail a notice of distribution of funds and a form for presentation of a claim thereunder to all known heirs or legatees of such deceased enrollees. All such claims shall be filed with the area director of the Bureau of Indian Affairs, Portland, Oregon, within two years following the date of approval of this Act. From and after that date, all claims and the right to file claims for any distribution from the judgment in docket numbered 100 shall be forever barred.

SEC. 4. Funds remaining in the United States Treasury to the credit of the said Klamath Tribe, or any of its constitutent parts or groups, after the distribution of funds resulting from Indian Claims Commission docket numbered 100 as provided by sections 2 and 3 of this

Act, together with any other funds which may be deposited in the United States Treasury, including without limitation funds accruing from other judgments against the United States (after payment of expenses, including attorney fees, payments for rights-of-way, trespass damages, or other revenues, together with any interest accrued thereon, shall, after deduction of the estimated cost of distribution, be distributed from time to time as determined by the Secretary to the members of the Klamath Tribe or to the members of any of its constitutent parts or groups in the same manner as provided in sections 2 and 3 of this Act.

SEC. 5. After all claims of the Klamath Tribe or any of its constituent parts or groups against the United States have been finally determined, appropriated, and distributed, as provided in sections 2, 3, and 4 of this Act; and after all litigation expenses (including attorney fees) and costs of distributions have been paid, any funds remaining in the United States Treasury to the credit of the Klamath Tribe or any of its constituent parts or groups which, in the discretion of the Secretary of the Interior are insufficient to justify a further distribution, shall be deposited in the miscellaneous receipts of the Treasury of the United States.

SEC. 6. The costs of distribution may be paid out of the deductions authorized by sections 2 and 4 of this Act. Any unused portion of such amounts shall remain in the United States Treasury to the credit of the Klamath Tribe.

SEC. 7. None of the funds distributed pursuant to this Act shall be subject to Federal or State income tax.

SEC. 8. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Approved October 1, 1965.

Public Law 89-225

October 1, 1965
[H. R. 5252]

AN ACT

To provide for the relief of certain enlisted members of the Air Force.

Air Force.
Enlisted men,
relief.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all payments of basic allowance for subsistence heretofore made to enlisted members of the Air Force who were assigned to the Tainan Air Force Station, Tainan, Taiwan, during the period beginning on October 1, 1960, and ending on June 30, 1962, and which are otherwise correct, are validated to the extent that those allowances were paid because the military commander concerned determined that no Government mess was available to those enlisted members under regulations prescribed under section 402 of title 37, United States Code. Any enlisted member who has made a repayment to the United States of the amount so paid to him as a basic allowance for subsistence is entitled to be paid the amount involved, if otherwise proper.

76 Stat. 470.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amounts expended under this Act.

SEC. 3. Appropriations available to the Department of the Air Force for the pay and allowances of military personnel are available for payments under this Act.

Approved October 1, 1965.

Public Law 89-226

AN ACT

October 1, 1965
[S. 1764]

To authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture.

Uinta National Forest, Utah. Land acquisition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to promote in timely and adequate manner control of floods that may originate thereon and the reduction of soil erosion through the restoration of adequate vegetative cover and to provide for their management, protection, and public use as national forest lands under principles of multiple use and sustained yield, the Secretary of Agriculture is authorized to acquire at not to exceed the fair market value as determined by him such of the nonfederally owned land in the area described in section 2 hereof as he finds suitable to accomplish the purposes of this Act.

SEC. 2. This Act shall be applicable to lands within the boundary of the Uinta National Forest described as follows:

SALT LAKE MERIDIAN

Township 5 south, range 3 east, sections 25 to 27, inclusive, and sections 34 to 36, inclusive.

Township 6 south, range 3 east, sections 1, 2, 11, 12, 13, 14, and 26.

Township 5 south, range 4 east, sections 27 to 35, inclusive.

Township 6 south, range 4 east, sections 2 to 10, inclusive, and section 16.

Appropriation.

SEC. 3. There is hereby authorized to be appropriated for purposes of this Act not to exceed $300,000, to remain available until expended.

Approved October 1, 1965.

Public Law 89-227

AN ACT

October 1, 1965
[S. 1988]

To provide for the conveyance of certain real property of the United States to the State of Maryland.

Maryland. Real property, 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 is authorized and directed to convey to the State of Maryland that tract of land situated on the campus of the University of Maryland at College Park, Maryland, which was heretofore donated to the United States by the State of Maryland, and which is more particularly described as follows:

Beginning at the southeast corner of an original 20.56-acre tract of land conveyed to the United States by deed dated November 9, 1935, and recorded April 20, 1939, in book 521, page 43 of the land records of Prince Georges County, said corner being marked by a cross cut in an iron grating on the north side of University Lane and immediately north of Symons Hall of the University of Maryland;

thence with the east boundary of the original 20.56-acre tract, north 0 degrees 30 minutes 00 seconds west 681.94 feet to a point;

thence south 89 degrees 30 minutes 00 seconds west 701.88 feet to a point;

thence south 40 degrees 47 minutes 04 seconds west 406.34 feet

to a point;

thence south 0 degrees 30 minutes 00 seconds east 376.60 feet to a point;

thence north 89 degrees 30 minutes 00 seconds east 970.00 feet to the point of beginning and containing 14.2452 acres, more or less, and being the total remaining acreage of the original 20.56 acres above mentioned now owned by the United States Government.

SEC. 2. The conveyance authorized by the first section of this Act shall be subject to the condition that the State of Maryland pay to the United States an amount equal to the fair market value, as determined by the Secretary of the Interior, of the fixed improvements on the tract of land to be conveyed.

Approved October 1, 1965.

Public Law 89-228

October 1, 1965
[H. R. 2414]

AN ACT

To authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oregon.

Roseburg, Oreg.
Land conveyance.

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 Veterans' Affairs shall convey by quitclaim deed, without consideration, to the city of Roseburg, Oregon, all right, title, and interest of the United States in and to two parcels of land, containing approximately forty-seven acres, more or less, which were heretofore conveyed by such city to the United States without consideration. The exact legal description of the land to be conveyed shall be determined by the Administrator of Veterans' Affairs, and in the event a survey is required in order to make such determination, the city of Roseburg shall bear the expense thereof.

Conditions.

SEC. 2. The conveyance authorized by the first section of this Act shall be made subject to (1) the condition that the city of Roseburg, Oregon, erect a chain link fence on the north side of parcel numbered 2 along the property line which would divide the portion of the remaining Veterans' Administration reservation and the land transferred to such city; (2) the condition that the tee and green of the golf course falling into parcel numbered 2 be relocated by the city of Roseburg to a location to be selected by the hospital director; (3) the condition that the city of Roseburg provide all necessary materials for a greenhouse and small horticultural clinic to be built in a new location by the Veterans' Administration hospital to serve the same purpose as the existing greenhouse and clinic building; (4) the condition that the Veterans' Administration retain riparian rights to irrigation water from the Umpqua River and the river pump on its north side and that the city of Roseburg furnish the Veterans' Administration water for irrigating the veterans' cemetery adjacent to parcel numbered 1 as long as the pump on the south side of the Umpqua River (existing on the date of the enactment of this Act) is operated by such city; (5) the condition that the bridge over the Umpqua River be included in the property conveyed to the city of Roseburg pursuant to this Act and that said bridge be maintained by said city; and (6) such other terms and conditions as the Administrator of the Veterans' Administration may determine necessary to protect the interest of the United States.

Approved October 1, 1965.

Public Law 89-229

AN ACT

October 1, 1965
[H. R. 5768]

To extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, and for other purposes.

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, page 432, Aug. 17, 1963; 19 U.S.C., 1202) is amended (1) by striking out the termination date applicable to items 905.30 and 905.31, namely, 11/7/65, and (2) by inserting in lieu thereof, the termination date "11/7/68".

Silk yarn. Duty suspension, extension.

77A Stat. 432.

SEC. 2. The President shall promptly cause a study to be made of the feasibility and desirability of separate classification in the Tariff Schedules of the United States for those yarns of man-made fibers commonly referred to as textured or texturized yarns. He shall report the results of such study, including any recommendations as to the appropriate rate or rates of duty for such yarns, to the House of Representatives and to the Senate not later than February 1, 1966.

Study.

Report to Congress.

Approved October 1, 1965.

Public Law 89-230

AN ACT

October 1, 1965
[H. R. 8715]

To authorize a contribution by the United States to the International Committee of the Red Cross.

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, out of any money in the Treasury not otherwise appropriated, an annual sum of $50,000 as a contribution on the part of the United States toward the expenses incurred by the International Committee of the Red Cross.

Approved October 1, 1965.

Public Law 89-231

AN ACT

October 1, 1965
[H. R. 9877]

To amend the Act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris.

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 to incorporate the American Hospital of Paris", as amended, approved January 30, 1913 (37 Stat. 654), is further amended by striking out: ": *Provided*, That the total value of the property owned at any one time by the said corporation shall not exceed $8,000,000".

American Hospital of Paris.

46 Stat. 11.

SEC. 2. Section 9 of said Act is amended by striking out: ": *Provided*, That at no time shall said corporation hold real estate except for the necessary use of office and hospital purposes of said hospital".

76 Stat. 557.

Approved October 1, 1965.

Public Law 89-232

October 1, 1965
[S. 1623]

AN ACT

To amend the Act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource.

Fish and wildlife.
Pesticides study, extension.
16 USC 742d-1 note.
Appropriation.

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 August 1, 1958 (72 Stat. 479), as amended by the Act of September 16, 1959 (73 Stat. 563), is amended to read as follows:

"SEC. 2. In order to carry out the provisions of this Act, there are authorized to be appropriated for the fiscal year ending June 30, 1966, not to exceed $3,200,000, and not to exceed $5,000,000 for each of the two fiscal years immediately following such year."

Approved October 1, 1965.

Public Law 89-233

October 1, 1965
[S. 1975]

AN ACT

To amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission.

International Pacific Halibut Commission.
50 Stat. 325.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Northern Pacific Halibut Act of 1937, as amended (16 U.S.C. 772–772i), is amended by inserting at the end thereof a new section as follows:

"SEC. 11. (a) The Secretary of State is authorized to provide, by contract, grant, or otherwise, facilities for office and any other necessary space for the Commission. Such facilities shall be located on or near the campus of the University of Washington in the State of Washington and shall be provided without regard to the cost-sharing provisions in the Convention.

Appropriation.

"(b) There is authorized to be appropriated such amount, not in excess of $500,000, as may be necessary to carry out the provisions of this section."

Approved October 1, 1965.

Public Law 89-234

AN ACT

October 2, 1965
[S. 4]

To amend the Federal Water Pollution Control Act to establish a Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of sewage treatment works, to require establishment of water quality criteria, 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) (1) section 1 of the Federal Water Pollution Control Act (33 U.S.C. 466) is amended by inserting after the words "SECTION 1." a new subsection (a) as follows:

Water Quality Act of 1965.
70 Stat. 498.

"(a) The purpose of this Act is to enhance the quality and value of our water resources and to establish a national policy for the prevention, control, and abatement of water pollution."

(2) Such section is further amended by redesignating subsections (a) and (b) thereof as (b) and (c), respectively.

Administration.

(3) Subsection (b) of such section (as redesignated by paragraph (2) of this subsection) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: "The Secretary of Health, Education, and Welfare (hereinafter in this Act called 'Secretary') shall administer this Act through the Administration created by section 2 of this Act, and with the assistance of an Assistant Secretary of Health, Education, and Welfare designated by him, shall supervise and direct (1) the head of such Administration in administering this Act and (2) the administration of all other functions of the Department of Health, Education, and Welfare related to water pollution. Such Assistant Secretary shall perform such additional functions as the Secretary may prescribe."

Additional Assistant Secretary of Health, Education, and Welfare.

(b) There shall be in the Department of Health, Education, and Welfare, in addition to the Assistant Secretaries now provided for by law, one additional Assistant Secretary of Health, Education, and Welfare who shall be appointed by the President, by and with the advice and consent of the Senate. The provisions of section 2 of Reorganization Plan Numbered 1 of 1953 (67 Stat. 631) shall be applicable to such additional Assistant Secretary to the same extent as they are applicable to the Assistant Secretaries authorized by that section. Paragraph (17) of section 303(d) of the Federal Executive Salary Act of 1964 (78 Stat. 418) is amended by striking out "(5)" before the period at the end thereof and inserting in lieu thereof "(6)."

5 USC 623 note.

Ante, p. 449.

SEC. 2. (a) Such Act is further amended by redesignating sections 2 through 4, and references thereto, as sections 3 through 5, respectively, sections 5 through 14, as sections 7 through 16, respectively, by inserting after section 1 the following new section:

"FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

Establishment.

"SEC. 2. Effective ninety days after the date of enactment of this section there is created within the Department of Health, Education, and Welfare a Federal Water Pollution Control Administration (hereinafter in this Act referred to as the 'Administration'). The head of the Administration shall be appointed, and his compensation fixed, by the Secretary. The head of the Administration may, in addition to regular staff of the Administration, which shall be initially provided from the personnel of the Department, obtain, from within the Department or otherwise as authorized by law, such professional, technical, and clerical assistance as may be necessary to discharge the Administration's functions and may for that purpose use funds available for carrying out such functions; and he may delegate any of his

functions to, or otherwise authorize their performance by, any officer or employee of, or assigned or detailed to, the Administration."

Transferring officers.

(b) Subject to such requirements as the Civil Service Commission may prescribe, any commissioned officer of the Public Health Service who, on the day before the effective date of the establishment of the Federal Water Pollution Control Administration, was, as such officer, performing functions relating to the Federal Water Pollution Control Act may acquire competitive civil service status and be transferred to a classified position in the Administration if he so transfers within six months (or such further period as the Secretary of Health, Education, and Welfare may find necessary in individual cases) after such effective date. No commissioned officer of the Public Health Service may be transferred to the Administration under this section if he does not consent to such transfer. As used in this section, the term "transferring officer" means an officer transferred in accordance with this subsection.

70 Stat. 498. 33 USC 466 note.

Retirement credit.

(c) (1) The Secretary shall deposit in the Treasury of the United States to the credit of the civil service retirement and disability fund, on behalf of and to the credit of each transferring officer, an amount equal to that which such individual would be required to deposit in such fund to cover the years of service credited to him for purposes of his retirement as a commissioned officer of the Public Health Service to the date of his transfer as provided in subsection (b), but only to the extent that such service is otherwise creditable under the Civil Service Retirement Act. The amount so required to be deposited with respect to any transferring officer shall be computed on the basis of the sum of his basic pay, allowance for quarters, and allowance for subsistence and, in the case of a medical officer, his special pay, during the years of service so creditable, including all such years after June 30, 1960.

70 Stat. 743. 5 USC 2251 note.

(2) The deposits which the Secretary of Health, Education, and Welfare is required to make under this subsection with respect to any transferring officer shall be made within two years after the date of his transfer as provided in subsection (b), and the amounts due under this subsection shall include interest computed from the period of service credited to the date of payment in accordance with section 4(e) of the Civil Service Retirement Act (5 U.S.C. 2254(e)).

(d) All past service of a transferring officer as a commissioned officer of the Public Health Service shall be considered as civilian service for all purposes under the Civil Service Retirement Act, effective as of the date any such transferring officer acquires civil service status as an employee of the Federal Water Pollution Control Administration; however, no transferring officer may become entitled to benefits under both the Civil Service Retirement Act and title II of the Social Security Act based on service as such a commissioned officer performed after 1956, but the individual (or his survivors) may irrevocably elect to waive benefit credit for the service under one Act to secure credit under the other.

Ante, pp. 290, 379.

(e) A transferring officer on whose behalf a deposit is required to be made by subsection (c) and who, after transfer to a classified position in the Federal Water Pollution Control Administration under subsection (b), is separated from Federal service or transfers to a position not covered by the Civil Service Retirement Act, shall not be entitled, nor shall his survivors be entitled, to a refund of any amount deposited on his behalf in accordance with this section. In the event he transfers, after transfer under subsection (b), to a position covered by another Government staff retirement system under which credit is allowable for service with respect to which a deposit is required under subsection (c), no credit shall be allowed under the Civil Service Retirement Act with respect to such service.

(f) Each transferring officer who prior to January 1, 1957, was insured pursuant to the Federal Employees' Group Life Insurance Act of 1954, and who subsequently waived such insurance, shall be entitled to become insured under such Act upon his transfer to the Federal Water Pollution Control Administration regardless of age and insurability.

Insurance coverage.

68 Stat. 736. 5 USC 2091 note.

(g) Any commissioned officer of the Public Health Service who, pursuant to subsection (b) of this section, is transferred to a position in the Federal Water Pollution Control Administration which is subject to the Classification Act of 1949, as amended, shall receive a salary rate of the General Schedule grade of such position which is nearest to but not less than the sum of (1) basic pay, quarters and subsistence allowances, and, in the case of a medical officer, special pay, to which he was entitled as a commissioned officer of the Public Health Service on the day immediately preceding his transfer, and (2) an amount equal to the equalization factor (as defined in this subsection); but in no event shall the rate so established exceed the maximum rate of such grade. As used in this section, the term "equalization factor" means an amount determined by the Secretary to be equal to the sum of (A) 6½ per centum of such basic pay and (B) the amount of Federal income tax which the transferring officer, had he remained a commissioned officer, would have been required to pay on such allowances for quarters and subsistence for the taxable year then current if they had not been tax free.

Compensation.

63 Stat. 954. 5 USC 1071 note.

"Equalization factor."

(h) A transferring officer who has had one or more years of commissioned service in the Public Health Service immediately prior to his transfer under subsection (b) shall, on the date of such transfer, be credited with thirteen days of sick leave.

Sick leave.

(i) Notwithstanding the provisions of any other law, any commissioned officer of the United States Public Health Service with twenty-five or more years of service who has held the temporary rank of Assistant Surgeon General in the Division of Water Supply and Pollution Control of the United States Public Health Service for three or more years and whose position and duties are affected by this Act, may, with the approval of the President, voluntarily retire from the United States Public Health Service with the same retirement benefits that would accrue to him if he had held the rank of Assistant Surgeon General for a period of four years or more if he so retires within ninety days of the date of the establishment of the Federal Water Pollution Control Administration.

Special retirement provisions.

(j) Nothing contained in this section shall be construed to restrict or in any way limit the head of the Federal Water Pollution Control Administration in matters of organization or in otherwise carrying out his duties under section 2 of this Act as he deems appropriate to the discharge of the functions of such Administration.

(k) The Surgeon General shall be consulted by the head of the Administration on the public health aspects relating to water pollution over which the head of such Administration has administrative responsibility.

SEC. 3. Such Act is further amended by inserting after the section redesignated as section 5 a new section as follows:

"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 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 waste from sewers which carry storm water or both storm water and

Combined sewer systems, pollution control.

sewage or other wastes, and for the purpose of reports, plans, and specifications in connection therewith. The Secretary is authorized to provide for the conduct of research and demonstrations relating to new or improved methods of controlling the discharge into any waters of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes, by contract with public or private agencies and institutions and with individuals without regard to sections 3648 and 3709 of the Revised Statutes, except that not to exceed 25 per centum of the total amount appropriated under authority of this section for any fiscal year may be expended under authority of this sentence during such fiscal year.

31 USC 529; 41 USC 5.

Grant limitations.

"(b) Federal grants under this section shall be subject to the following limitations: (1) No grant shall be made for any project pursuant to this section unless such project shall have been approved by an 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 50 per centum of the estimated reasonable cost thereof as determined by the Secretary; (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 of a new or improved method of controlling the discharge into any water of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes.

Appropriation.

"(c) There are hereby authorized to be appropriated 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 of this section. Sums so appropriated shall remain available until expended. No grant or contract shall be made for any project in an amount exceeding 5 per centum of the total amount authorized by this section in any one fiscal year."

Treatment plant construction grants.
70 Stat. 502; 75 Stat. 206.
33 USC 466e.

SEC. 4. (a) Clause (2) of subsection (b) of the section of the Federal Water Pollution Control Act herein redesignated as section 8 is amended by striking out "$600,000," and inserting in lieu thereof "$1,200,000,".

(b) The second proviso in clause (2) of subsection (b) of such redesignated section 8 is amended by striking out "$2,400,000," and inserting in lieu thereof "$4,800,000,".

(c) Subsection (b) of such redesignated section 8 is amended by adding at the end thereof the following: "The limitations of $1,200,000 and $4,800,000 imposed by clause (2) of this subsection shall not apply in the case of grants made under this section from funds allocated under the third sentence of subsection (c) of this section if the State agrees to match equally all Federal grants made from such allocation for projects in such State."

(d) (1) The second sentence of subsection (c) of such redesignated section 8 is amended by striking out "for any fiscal year" and inserting in lieu thereof "for each fiscal year ending on or before June 30, 1965, and the first $100,000,000 appropriated pursuant to subsection (d) for each fiscal year beginning on or after July 1, 1965,".

(2) Subsection (c) of such redesignated section 8 is amended by inserting immediately after the period at the end of the second sentence thereof the following: "All sums in excess of $100,000,000 appropriated pursuant to subsection (d) for each fiscal year beginning on or after July 1, 1965, shall be allotted by the Secretary from time to time, in accordance with regulations, in the ratio that the population of each State bears to the population of all States."

(3) The third sentence of subsection (c) of such redesignated section 8 is amended by striking out "the preceding sentence" and inserting in lieu thereof "the two preceding sentences". 75 Stat. 206. 33 USC 466e.

(4) The next to the last sentence of subsection (c) of such redesignated section 8 is amended by striking out "and third" and inserting in lieu thereof ", third, and fourth".

(e) The last sentence of subsection (d) of such redesignated section 8 is amended to read as follows: "Sums so appropriated shall remain available until expended. At least 50 per centum of the funds so appropriated for each fiscal year ending on or before June 30, 1965, and at least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under."

(f) Subsection (d) of such redesignated section 8 is amended by striking out "$100,000,000 for the fiscal year ending June 30, 1966, and $100,000,000 for the fiscal year ending June 30, 1967." and inserting in lieu thereof "$150,000,000 for the fiscal year ending June 30, 1966, and $150,000,000 for the fiscal year ending June 30, 1967."

(g) Subsection (f) of such redesignated section 8 is redesignated as subsection (g) thereof and is amended by adding at the end thereof the following new sentence: "The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, 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)." 63 Stat. 108.

(h) Such redesignated section 8 is further amended by inserting therein, immediately after subsection (e) thereof, the following new subsection:

"(f) Notwithstanding any other provisions of this section, the Secretary may increase the amount of a grant made under subsection (b) of this section by an additional 10 per centum of the amount of such grant for any project which has been certified to him by an official State, metropolitan, or regional planning agency empowered under State or local laws or interstate compact to perform metropolitan or regional planning for a metropolitan area within which the assistance is to be used, or other agency or instrumentality designated for such purposes by the Governor (or Governors in the case of interstate planning) as being in conformity with the comprehensive plan developed or in process of development for such metropolitan area. For the purposes of this subsection, the term 'metropolitan area' means either (1) a standard metropolitan statistical area as defined by the Bureau of the Budget, except as may be determined by the President as not being appropriate for the purposes hereof, or (2) any urban area, including those surrounding areas that form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities, which in the opinion of the President lends itself as being appropriate for the purposes hereof." Increased grants for urban planning. "Metropolitan area."

SEC. 5. (a) Redesignated section 10 of the Federal Water Pollution Control Act is amended by redesignating subsections (c) through (i) as subsections (d) through (j), and by inserting after subsection (b) the following new subsection: 70 Stat. 504; 75 Stat. 208. 33 USC 466g.

"(c)(1) If the Governor of a State or a State water pollution control agency files, within one year after the date of enactment of this subsection, a letter of intent that such State, after public hearings, will before Water quality standards.

June 30, 1967, adopt (A) water quality criteria applicable to interstate waters or portions thereof within such State, and (B) a plan for the implementation and enforcement of the water quality criteria adopted, and if such criteria and plan are established in accordance with the letter of intent, and if the Secretary determines that such State criteria and plan are consistent with paragraph (3) of this subsection, such State criteria and plan shall thereafter be the water quality standards applicable to such interstate waters or portions thereof.

"(2) If a State does not (A) file a letter of intent or (B) establish water quality standards in accordance with paragraph (1) of this subsection, or if the Secretary or the Governor of any State affected by water quality standards established pursuant to this subsection desires a revision in such standards, the Secretary may, after reasonable notice and a conference of representatives of appropriate Federal departments and agencies, interstate agencies, States, municipalities and industries involved, prepare regulations setting forth standards of water quality to be applicable to interstate waters or portions thereof. If, within six months from the date the Secretary publishes such regulations, the State has not adopted water quality standards found by the Secretary to be consistent with paragraph (3) of this subsection, or a petition for public hearing has not been filed under paragraph (4) of this subsection, the Secretary shall promulgate such standards.

"(3) Standards of quality established pursuant to this subsection shall be such as to protect the public health or welfare, enhance the quality of water and serve the purposes of this Act. In establishing such standards the Secretary, the Hearing Board, or the appropriate State authority shall take into consideration their use and value for public water supplies, propagation of fish and wildlife, recreational purposes, and agricultural, industrial, and other legitimate uses.

Hearings.

"(4) If at any time prior to 30 days after standards have been promulgated under paragraph (2) of this subsection, the Governor of any State affected by such standards petitions the Secretary for a hearing, the Secretary shall call a public hearing, to be held in or near one or more of the places where the water quality standards will take effect, before a Hearing Board of five or more persons appointed by the Secretary. Each State which would be affected by such standards shall be given an opportunity to select one member of the Hearing Board. The Department of Commerce and other affected Federal departments and agencies shall each be given an opportunity to select a member of the Hearing Board and not less than a majority of the Hearing Board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. The members of the Board who are not officers or employees of the United States, while participating in the hearing conducted by such Hearing Board or otherwise engaged on the work of such Hearing Board, shall be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, 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 by law, (5 U.S.C. 73b-2) for persons in the Government service employed intermittently. Notice of such hearing shall be published in the Federal Register and given to the State water pollution control agencies, interstate agencies and municipalities involved at least 30 days prior to the date of such hearing. On the basis of the evidence presented at such hearing, the Hearing Board shall make findings as to whether the standards published or promulgated by the Secretary should be approved or modified and transmit its findings to the Secretary. If the Hearing Board approves the standards as published or promul-

60 Stat. 808; 75 Stat. 339, 340.

Publication in Federal Register.

gated by the Secretary, the standards shall take effect on receipt by the Secretary of the Hearing Board's recommendations. If the Hearing Board recommends modifications in the standards as published or promulgated by the Secretary, the Secretary shall promulgate revised regulations setting forth standards of water quality in accordance with the Hearing Board's recommendations which will become effective immediately upon promulgation.

Water standards violations.

"(5) The discharge of matter into such interstate waters or portions thereof, which reduces the quality of such waters below the water quality standards established under this subsection (whether the matter causing or contributing to such reduction is discharged directly into such waters or reaches such waters after discharge into tributaries of such waters), is subject to abatement in accordance with the provisions of paragraph (1) or (2) of subsection (g) of this section, except that at least 180 days before any abatement action is initiated under either paragraph (1) or (2) of subsection (g) as authorized by this subsection, the Secretary shall notify the violators and other interested parties of the violation of such standards. In any suit brought under the provisions of this subsection the court shall receive in evidence a transcript of the proceedings of the conference and hearing provided for in this subsection, together with the recommendations of the conference and Hearing Board and the recommendations and standards promulgated by the Secretary, and such additional evidence, including that relating to the alleged violation of the standards, as it deems necessary to a complete review of the standards and to a determination of all other issues relating to the alleged violation. The court, giving due consideration to the practicability and to the physical and economic feasibility of complying with such standards, shall have jurisdiction to enter such judgment and orders enforcing such judgment as the public interest and the equities of the case may require.

"(6) Nothing in this subsection shall (A) prevent the application of this section to any case to which subsection (a) of this section would otherwise be applicable, or (B) extend Federal jurisdiction over water not otherwise authorized by this Act.

"(7) In connection with any hearings under this section no witness or any other person shall be required to divulge trade secrets or secret processes."

(b) Paragraph (1) of subsection (d) of the section of the Federal Water Pollution Control Act herein redesignated as section 10 is amended by striking out the final period after the third sentence of such subsection and inserting the following in lieu thereof: "; or he finds that substantial economic injury results from the inability to market shellfish or shellfish products in interstate commerce because of pollution referred to in subsection (a) and action of Federal, State, or local authorities."

75 Stat. 208; *Ante*, p. 907. 33 USC 466g.

SEC. 6. The section of the Federal Water Pollution Control Act hereinbefore redesignated as section 12 is amended by adding at the end thereof the following new subsections:

70 Stat. 506. 33 USC 466i.

"(d) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient 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 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.

"(e) 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

Audit of books, etc.

examination to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this Act."

75 Stat. 206.
33 USC 466d.

SEC. 7. (a) Section 7(f)(6) of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out "section 6(b)(4)." as contained therein and inserting in lieu thereof "section 8(b)(4).".

33 USC 466e.

(b) Section 8 of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out "section 5" as contained therein and inserting in lieu thereof "section 7".

33 USC 466g.

(c) Section 10(b) of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out "subsection (g)" and inserting in lieu thereof "subsection (h)".

(d) Section 10(i) of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out "subsection (e)" and inserting in lieu thereof "subsection (f)".

33 USC 466h.

(e) Section 11 of the Federal Water Pollution Control Act, as that section is redesignated by this Act, is amended by striking out "section 8(c)(3)" and inserting in lieu thereof "section 10(d)(3)" and by striking out "section 8(e)" and inserting in lieu thereof "section 10(f)".

Short title.

SEC. 8. This Act may be cited as the "Water Quality Act of 1965".

Approved October 2, 1965.

Public Law 89-235

October 2, 1965
[S. J. Res. 98]

JOINT RESOLUTION

Authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States", and for other purposes.

"See the United States," 1966. Proclamation.

78 Stat. 388.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested (1) to extend through 1966 the period designated pursuant to the joint resolution approved August 11, 1964 (Public Law 88-416), as a period to see the United States and its territories; (2) to encourage private industry and interested private organizations to continue their efforts to attract greater numbers of the American people to the scenic, historical, and recreational areas and facilities of the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico; and (3) to issue a proclamation specially inviting citizens of other countries to visit the festivals, fairs, pageants, and other ceremonials to be celebrated in 1966 in the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico.

Publicity.

SEC. 2. The President is authorized to publicize any proclamations issued pursuant to the first section and otherwise to encourage and promote vacation travel within the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico, both by American citizens and by citizens of other countries, through such departments or agencies of the Federal Government as he deems appropriate, in cooperation with State and local agencies and private organizations.

National chairman.

SEC. 3. For the purpose of the extension provided for by this joint resolution, the President is authorized during the period of such extension to exercise the authority conferred by section 3 of the joint resolution approved August 11, 1964 (Public Law 88-416), and for such purpose may extend for such period the appointment of any person serving as National Chairman pursuant to such section.

Approved October 2, 1965.

Public Law 89-236

AN ACT

To amend the Immigration and Nationality Act, and for other purposes.

October 3, 1965
[H. R. 2580]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1151) be amended to read as follows:

Immigration and Nationality Act, amendments.

"SEC. 201. (a) Exclusive of special immigrants defined in section 101(a)(27), and of the immediate relatives of United States citizens specified in subsection (b) of this section, the number of aliens who may be issued immigrant visas or who may otherwise acquire the status of an alien lawfully admitted to the United States for permanent residence, or who may, pursuant to section 203(a)(7) enter conditionally, (i) shall not in any of the first three quarters of any fiscal year exceed a total of 45,000 and (ii) shall not in any fiscal year exceed a total of 170,000.

Post, p. 916.

"(b) The 'immediate relatives' referred to in subsection (a) of this section shall mean the children, spouses, and parents of a citizen of the United States: *Provided*, That in the case of parents, such citizen must be at least twenty-one years of age. The immediate relatives specified in this subsection who are otherwise qualified for admission as immigrants shall be admitted as such, without regard to the numerical limitations in this Act.

"Immediate relatives."

"(c) During the period from July 1, 1965, through June 30, 1968, the annual quota of any quota area shall be the same as that which existed for that area on June 30, 1965. The Secretary of State shall, not later than on the sixtieth day immediately following the date of enactment of this subsection and again on or before September 1, 1966, and September 1, 1967, determine and proclaim the amount of quota numbers which remain unused at the end of the fiscal year ending on June 30, 1965, June 30, 1966, and June 30, 1967, respectively, and are available for distribution pursuant to subsection (d) of this section.

"(d) Quota numbers not issued or otherwise used during the previous fiscal year, as determined in accordance with subsection (c) hereof, shall be transferred to an immigration pool. Allocation of numbers from the pool and from national quotas shall not together exceed in any fiscal year the numerical limitations in subsection (a) of this section. The immigration pool shall be made available to immigrants otherwise admissible under the provisions of this Act who are unable to obtain prompt issuance of a preference visa due to oversubscription of their quotas, or subquotas as determined by the Secretary of State. Visas and conditional entries shall be allocated from the immigration pool within the percentage limitations and in the order of priority specified in section 203 without regard to the quota to which the alien is chargeable.

"(e) The immigration pool and the quotas of quota areas shall terminate June 30, 1968. Thereafter immigrants admissible under the provisions of this Act who are subject to the numerical limitations of subsection (a) of this section shall be admitted in accordance with the percentage limitations and in the order of priority specified in section 203."

SEC. 2. Section 202 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1152) is amended to read as follows:

Foreign states. Numerical limitations.

"(a) No person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of his race, sex, nationality, place of birth, or place of residence, except as specifically provided in section 101(a)(27), section 201(b), and section 203: *Provided*, That the total number of immigrant visas and the

Post, p. 916.
Post, p. 912.

Infra.

number of conditional entries made available to natives of any single foreign state under paragraphs (1) through (8) of section 203(a) shall not exceed 20,000 in any fiscal year: *Provided further*, That the foregoing proviso shall not operate to reduce the number of immigrants who may be admitted under the quota of any quota area before June 30, 1968.

"(b) Each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than the United States and its outlying possessions shall be treated as a separate foreign state for the purposes of the numerical limitation set forth in the proviso to subsection (a) of this section when approved by the Secretary of State. All other inhabited lands shall be attributed to a foreign state specified by the Secretary of State. For the purposes of this Act the foreign state to which an immigrant is chargeable shall be determined by birth within such foreign state except that (1) an alien child, when accompanied by his alien parent or parents, may be charged to the same foreign state as the accompanying parent or of either accompanying parent if such parent has received or would be qualified for an immigrant visa, if necessary to prevent the separation of the child from the accompanying parent or parents, and if the foreign state to which such parent has been or would be chargeable has not exceeded the numerical limitation set forth in the proviso to subsection (a) of this section for that fiscal year; (2) if an alien is chargeable to a different foreign state from that of his accompanying spouse, the foreign state to which such alien is chargeable may, if necessary to prevent the separation of husband and wife, be determined by the foreign state of the accompanying spouse, if such spouse has received or would be qualified for an immigrant visa and if the foreign state to which such spouse has been or would be chargeable has not exceeded the numerical limitation set forth in the proviso to subsection (a) of this section for that fiscal year; (3) an alien born in the United States shall be considered as having been born in the country of which he is a citizen or subject, or if he is not a citizen or subject of any country then in the last foreign country in which he had his residence as determined by the consular officer; (4) an alien born within any foreign state in which neither of his parents was born and in which neither of his parents had a residence at the time of such alien's birth may be charged to the foreign state of either parent.

"(c) Any immigrant born in a colony or other component or dependent area of a foreign state unless a special immigrant as provided in section 101(a)(27) or an immediate relative of a United States citizen as specified in section 201(b), shall be chargeable, for the purpose of limitation set forth in section 202(a), to the foreign state, except that the number of persons born in any such colony or other component or dependent area overseas from the foreign state chargeable to the foreign state in any one fiscal year shall not exceed 1 per centum of the maximum number of immigrant visas available to such foreign state.

Post, p. 916.
Ante, p. 911.

"(d) In the case of any change in the territorial limits of foreign states, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all diplomatic and consular offices."

Visas, allocation.

SEC. 3. Section 203 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1153) is amended to read as follows:

"SEC. 203. (a) Aliens who are subject to the numerical limitations specified in section 201(a) shall be allotted visas or their conditional entry authorized, as the case may be, as follows:

"(1) Visas shall be first made available, in a number not to exceed 20 per centum of the number specified in section 201(a)(ii), to

qualified immigrants who are the unmarried sons or daughters of citizens of the United States.

"(2) Visas shall next be made available, in a number not to exceed 20 per centum of the number specified in section 201(a)(ii), plus any visas not required for the classes specified in paragraph (1), to qualified immigrants who are the spouses, unmarried sons or unmarried daughters of an alien lawfully admitted for permanent residence.

Ante, p. 911.

"(3) Visas shall next be made available, in a number not to exceed 10 per centum of the number specified in section 201(a)(ii), to qualified immigrants who are members of the professions, or who because of their exceptional ability in the sciences or the arts will substantially benefit prospectively the national economy, cultural interests, or welfare of the United States.

"(4) Visas shall next be made available, in a number not to exceed 10 per centum of the number specified in section 201(a)(ii), plus any visas not required for the classes specified in paragraphs (1) through (3), to qualified immigrants who are the married sons or the married daughters of citizens of the United States.

"(5) Visas shall next be made available, in a number not to exceed 24 per centum of the number specified in section 201(a)(ii), plus any visas not required for the classes specified in paragraphs (1) through (4), to qualified immigrants who are the brothers or sisters of citizens of the United States.

"(6) Visas shall next be made available, in a number not to exceed 10 per centum of the number specified in section 201(a)(ii), to qualified immigrants who are capable of performing specified skilled or unskilled labor, not of a temporary or seasonal nature, for which a shortage of employable and willing persons exists in the United States.

Conditional entries.

"(7) Conditional entries shall next be made available by the Attorney General, pursuant to such regulations as he may prescribe and in a number not to exceed 6 per centum of the number specified in section 201(a)(ii), to aliens who satisfy an Immigration and Naturalization Service officer at an examination in any non-Communist or non-Communist-dominated country, (A) that (i) because of persecution or fear of persecution on account of race, religion, or political opinion they have fled (I) from any Communist or Communist-dominated country or area, or (II) from any country within the general area of the Middle East, and (ii) are unable or unwilling to return to such country or area on account of race, religion, or political opinion, and (iii) are not nationals of the countries or areas in which their application for conditional entry is made; or (B) that they are persons uprooted by catastrophic natural calamity as defined by the President who are unable to return to their usual place of abode. For the purpose of the foregoing the term 'general area of the Middle East' means the area between and including (1) Libya on the west, (2) Turkey on the north, (3) Pakistan on the east, and (4) Saudi Arabia and Ethiopia on the south: *Provided*, That immigrant visas in a number not exceeding one-half the number specified in this paragraph may be made available, in lieu of conditional entries of a like number, to such aliens who have been continuously physically present in the United States for a period of at least two years prior to application for adjustment of status.

"(8) Visas authorized in any fiscal year, less those required for issuance to the classes specified in paragraphs (1) through (6) and less the number of conditional entries and visas made available pursuant to paragraph (7), shall be made available to other qualified immigrants strictly in the chronological order in which they qualify. Waiting lists of applicants shall be maintained in accordance with regulations prescribed by the Secretary of State. No immigrant visa shall be

issued to a nonpreference immigrant under this paragraph, or to an immigrant with a preference under paragraph (3) or (6) of this subsection, until the consular officer is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(14).

Post, p. 917.

"(9) A spouse or child as defined in section 101(b)(1)(A), (B), (C), (D), or (E) shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa or to conditional entry under paragraphs (1) through (8), be entitled to the same status, and the same order of consideration provided in subsection (b), if accompanying, or following to join, his spouse or parent.

66 Stat. 166; 71 Stat. 639. 8 USC 1101.

"(b) In considering applications for immigrant visas under subsection (a) consideration shall be given to applicants in the order in which the classes of which they are members are listed in subsection (a).

"(c) Immigrant visas issued pursuant to paragraphs (1) through (6) of subsection (a) shall be issued to eligible immigrants in the order in which a petition in behalf of each such immigrant is filed with the Attorney General as provided in section 204.

Post, p. 915.

"(d) Every immigrant shall be presumed to be a nonpreference immigrant until he establishes to the satisfaction of the consular officer and the immigration officer that he is entitled to a preference status under paragraphs (1) through (7) of subsection (a), or to a special immigrant status under section 101(a)(27), or that he is an immediate relative of a United States citizen as specified in section 201(b). In the case of any alien claiming in his application for an immigrant visa to be an immediate relative of a United States citizen as specified in section 201(b) or to be entitled to preference immigrant status under paragraphs (1) through (6) of subsection (a), the consular officer shall not grant such status until he has been authorized to do so as provided by section 204.

Post, p. 916. Ante, p. 911.

"(e) For the purposes of carrying out his responsibilities in the orderly administration of this section, the Secretary of State is authorized to make reasonable estimates of the anticipated numbers of visas to be issued during any quarter of any fiscal year within each of the categories of subsection (a), and to rely upon such estimates in authorizing the issuance of such visas. The Secretary of State, in his discretion, may terminate the registration on a waiting list of any alien who fails to evidence his continued intention to apply for a visa in such manner as may be by regulation prescribed.

Report to Congress.

"(f) The Attorney General shall submit to the Congress a report containing complete and detailed statement of facts in the case of each alien who conditionally entered the United States pursuant to subsection (a)(7) of this section. Such reports shall be submitted on or before January 15 and June 15 of each year.

"(g) Any alien who conditionally entered the United States as a refugee, pursuant to subsection (a)(7) of this section, whose conditional entry has not been terminated by the Attorney General pursuant to such regulations as he may prescribe, who has been in the United States for at least two years, and who has not acquired permanent residence, shall forthwith return or be returned to the custody of the Immigration and Naturalization Service and shall thereupon be inspected and examined for admission into the United States, and his case dealt with in accordance with the provisions of sections 235, 236, and 237 of this Act.

8 USC 1225-1227.

"(h) Any alien who, pursuant to subsection (g) of this section, is found, upon inspection by the immigration officer or after hearing before a special inquiry officer, to be admissible as an immigrant under

this Act at the time of his inspection and examination, except for the fact that he was not and is not in possession of the documents required by section 212(a)(20), shall be regarded as lawfully admitted to the United States for permanent residence as of the date of his arrival."

66 Stat. 182. 8 USC 1182.

SEC. 4. Section 204 of the Immigration and Nationality Act (66 Stat. 176; 8 U.S.C. 1154) is amended to read as follows:

Preference or immediate relative status.

"SEC. 204. (a) Any citizen of the United States claiming that an alien is entitled to a preference status by reason of the relationships described in paragraphs (1), (4), or (5) of section 203(a), or to an immediate relative status under section 201(b), or any alien lawfully admitted for permanent residence claiming that an alien is entitled to a preference status by reason of the relationship described in section 203(a)(2), or any alien desiring to be classified as a preference immigrant under section 203(a)(3) (or any person on behalf of such an alien), or any person desiring and intending to employ within the United States an alien entitled to classification as a preference immigrant under section 203(a)(6), may file a petition with the Attorney General for such classification. The petition shall be in such form as the Attorney General may by regulations prescribe and shall contain such information and be supported by such documentary evidence as the Attorney General may require. The petition shall be made under oath administered by any individual having authority to administer oaths, if executed in the United States, but, if executed outside the United States, administered by a consular officer or an immigration officer.

Ante, p. 912.
Ante, p. 911.

"(b) After an investigation of the facts in each case, and after consultation with the Secretary of Labor with respect to petitions to accord a status under section 203(a)(3) or (6), the Attorney General shall, if he determines that the facts stated in the petition are true and that the alien in behalf of whom the petition is made is an immediate relative specified in section 201(b) or is eligible for a preference status under section 203(a), approve the petition and forward one copy thereof to the Department of State. The Secretary of State shall then authorize the consular officer concerned to grant the preference status.

"(c) Notwithstanding the provisions of subsection (b) no more than two petitions may be approved for one petitioner in behalf of a child as defined in section 101(b)(1)(E) or (F) unless necessary to prevent the separation of brothers and sisters and no petition shall be approved if the alien has previously been accorded a nonquota or preference status as the spouse of a citizen of the United States or the spouse of an alien lawfully admitted for permanent residence, by reason of a marriage determined by the Attorney General to have been entered into for the purpose of evading the immigration laws.

71 Stat. 639; *Post*, p. 917.

Report to Congress.

"(d) The Attorney General shall forward to the Congress a report on each approved petition for immigrant status under sections 203(a)(3) or 203(a)(6) stating the basis for his approval and such facts as were by him deemed to be pertinent in establishing the beneficiary's qualifications for the preferential status. Such reports shall be submitted to the Congress on the first and fifteenth day of each calendar month in which the Congress is in session.

"(e) Nothing in this section shall be construed to entitle an immigrant, in behalf of whom a petition under this section is approved, to enter the United States as a preference immigrant under section 203(a) or as an immediate relative under section 201(b) if upon his arrival at a port of entry in the United States he is found not to be entitled to such classification."

Petitions. Approval revocation.

SEC. 5. Section 205 of the Immigration and Nationality Act (66 Stat. 176; 8 U.S.C. 1155) is amended to read as follows:

"SEC. 205. The Attorney General may, at any time, for what he deems to be good and sufficient cause, revoke the approval of any petition approved by him under section 204. Such revocation shall be effective as of the date of approval of any such petition. In no case, however, shall such revocation have effect unless there is mailed to the petitioner's last known address a notice of the revocation and unless notice of the revocation is communicated through the Secretary of State to the beneficiary of the petition before such beneficiary commences his journey to the United States. If notice of revocation is not so given, and the beneficiary applies for admission to the United States, his admissibility shall be determined in the manner provided for by sections 235 and 236."

Ante, p. 915.

66 Stat. 198. 8 USC 1225, 1226.

SEC. 6. Section 206 of the Immigration and Nationality Act (66 Stat. 181; 8 U.S.C. 1156) is amended to read as follows:

Unused visas.

"SEC. 206. If an immigrant having an immigrant visa is excluded from admission to the United States and deported, or does not apply for admission before the expiration of the validity of his visa, or if an alien having an immigrant visa issued to him as a preference immigrant is found not to be a preference immigrant, an immigrant visa or a preference immigrant visa, as the case may be, may be issued in lieu thereof to another qualified alien."

SEC. 7. Section 207 of the Immigration and Nationality Act (66 Stat. 181; 8 U.S.C. 1157) is stricken.

SEC. 8. Section 101 of the Immigration and Nationality Act (66 Stat. 166; 8 U.S.C. 1101) is amended as follows:

(a) Paragraph (27) of subsection (a) is amended to read as follows:

"Special immigrant."

"(27) The term 'special immigrant' means—

"(A) an immigrant who was born in any independent foreign country of the Western Hemisphere or in the Canal Zone and the spouse and children of any such immigrant, if accompanying, or following to join him: *Provided*, That no immigrant visa shall be issued pursuant to this clause until the consular officer is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(14);

Post, p. 917.

"(B) an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad;

66 Stat. 246. 8 USC 1435, 1438.

"(C) an immigrant who was a citizen of the United States and may, under section 324(a) or 327 of title III, apply for reacquisition of citizenship;

"(D)(i) an immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United States has been, and who seeks to enter the United States solely for the purpose of carrying on the vocation of minister of a religious denomination, and whose services are needed by such religious denomination having a bona fide organization in the United States; and (ii) the spouse or the child of any such immigrant, if accompanying or following to join him; or

"(E) an immigrant who is an employee, or an honorably retired former employee, of the United States Government abroad, and who has performed faithful service for a total of fifteen years, or more, and his accompanying spouse and children: *Provided*, That the principal officer of a Foreign Service establishment, in his discretion, shall have recommended the granting of special immigrant status to such alien in exceptional circumstances and the Secretary of State approves such recommendation and finds that it is in the national interest to grant such status."

(b) Paragraph (32) of subsection (a) is amended to read as follows:

"(32) The term 'profession' shall include but not be limited to architects, engineers, lawyers, physicians, surgeons, and teachers in elementary or secondary schools, colleges, academies, or seminaries."

"Profession."

(c) Subparagraph (1)(F) of subsection (b) is amended to read as follows:

75 Stat. 650. 8 USC 1101.

"(F) a child, under the age of fourteen at the time a petition is filed in his behalf to accord a classification as an immediate relative under section 201(b), who is an orphan because of the death or disappearance of, abandonment or desertion by, or separation or loss from, both parents, or for whom the sole or surviving parent is incapable of providing the proper care which will be provided the child if admitted to the United States and who has in writing irrevocably released the child for emigration and adoption; who has been adopted abroad by a United States citizen and his spouse who personally saw and observed the child prior to or during the adoption proceedings; or who is coming to the United States for adoption by a United States citizen and spouse who have complied with the preadoption requirements, if any, of the child's proposed residence: *Provided*, That no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act."

Ante, p. 911.

SEC. 9. Section 211 of the Immigration and Nationality Act (66 Stat. 181; 8 U.S.C. 1181) is amended to read as follows:

Documentary requirements.

"SEC. 211. (a) Except as provided in subsection (b) no immigrant shall be admitted into the United States unless at the time of application for admission he (1) has a valid unexpired immigrant visa or was born subsequent to the issuance of such visa of the accompanying parent, and (2) presents a valid unexpired passport or other suitable travel document, or document of identity and nationality, if such document is required under the regulations issued by the Attorney General. With respect to immigrants to be admitted under quotas of quota areas prior to June 30, 1968, no immigrant visa shall be deemed valid unless the immigrant is properly chargeable to the quota area under the quota of which the visa is issued.

"(b) Notwithstanding the provisions of section 212(a)(20) of this Act in such cases or in such classes of cases and under such conditions as may be by regulations prescribed, returning resident immigrants, defined in section 101(a)(27)(B), who are otherwise admissible may be readmitted to the United States by the Attorney General in his discretion without being required to obtain a passport, immigrant visa, reentry permit or other documentation."

Waiver authority.

SEC. 10. Section 212(a) of the Immigration and Nationality Act (66 Stat. 182; 8 U.S.C. 1182) is amended as follows:

Skilled or unskilled laborers. Admission conditions.

(a) Paragraph (14) is amended to read as follows:

"Aliens seeking to enter the United States, for the purpose of performing skilled or unskilled labor, unless the Secretary of Labor has determined and certified to the Secretary of State and to the Attorney General that (A) there are not sufficient workers in the United States who are able, willing, qualified, and available at the time of application for a visa and admission to the United States and at the place to which the alien is destined to perform such skilled or unskilled labor, and (B) the employment of such aliens will not adversely affect the wages and working conditions of the workers in the United States similarly employed. The exclusion of aliens under this paragraph shall apply to special immigrants defined in section 101(a)(27)(A) (other than the parents, spouses, or children of United States citizens

Ante, p. 916.

or of aliens lawfully admitted to the United States for permanent residence), to preference immigrant aliens described in section 203(a) (3) and (6), and to nonpreference immigrant aliens described in section 203(a)(8);".

Ante, p. 912.

66 Stat. 183.
8 USC 1182.

(b) Paragraph (20) is amended by deleting the letter "(e)" and substituting therefor the letter "(a)".

(c) Paragraph (21) is amended by deleting the word "quota".

(d) Paragraph (24) is amended by deleting the language within the parentheses and substituting therefor the following: "other than aliens described in section 101(a)(27)(A) and (B)."

Ante, p. 916.

SEC. 11. The Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1151) is amended as follows:

8 USC 1201.

(a) Section 221(a) is amended by deleting the words "the particular nonquota category in which the immigrant is classified, if a nonquota immigrant," and substituting in lieu thereof the words "the preference, nonpreference, immediate relative, or special immigration classification to which the alien is charged."

(b) The fourth sentence of subsection 221(c) is amended by deleting the word "quota" preceding the word "number;" the word "quota" preceding the word "year;" and the words "a quota" preceding the word "immigrant," and substituting in lieu thereof the word "an".

8 USC 1202.

(c) Section 222(a) is amended by deleting the words "preference quota or a nonquota immigrant" and substituting in lieu thereof the words "an immediate relative within the meaning of section 201(b) or a preference or special immigrant".

8 USC 1204.

(d) Section 224 is amended to read as follows: "A consular officer may, subject to the limitations provided in section 221, issue an immigrant visa to a special immigrant or immediate relative as such upon satisfactory proof, under regulations prescribed under this Act, that the applicant is entitled to special immigrant or immediate relative status."

8 USC 1251.

(e) Section 241(a)(10) is amended by substituting for the words "Section 101(a)(27)(C)" the words "Section 101(a)(27)(A)".

8 USC 1253.

(f) Section 243(h) is amended by striking out "physical persecution" and inserting in lieu thereof "persecution on account of race, religion, or political opinion".

Deportation suspension.

SEC. 12. Section 244 of the Immigration and Nationality Act (66 Stat. 214; 8 U.S.C. 1254) is amended as follows:

(a) Subsection (d) is amended to read:

"(d) Upon the cancellation of deportation in the case of any alien under this section, the Attorney General shall record the alien's lawful admission for permanent residence as of the date the cancellation of deportation of such alien is made, and unless the alien is entitled to a special immigrant classification under section 101(a)(27)(A), or is an immediate relative within the meaning of section 201(b) the Secretary of State shall reduce by one the number of nonpreference immigrant visas authorized to be issued under section 203(a)(8) for the fiscal year then current."

Ante, p. 911.

(b) Subsection (f) is amended by inserting after the language "entered the United States as a crewman" the language "subsequent to June 30, 1964;".

Adjustment of status.
72 Stat. 699.

SEC. 13. Section 245 of the Immigration and Nationality Act (66 Stat. 217; 8 U.S.C. 1255) is amended as follows:

(a) Subsection (b) is amended to read:

"(b) Upon the approval of an application for adjustment made under subsection (a), the Attorney General shall record the alien's lawful admission for permanent residence as of the date the order of

the Attorney General approving the application for the adjustment of status is made, and the Secretary of State shall reduce by one the number of the preference or nonpreference visas authorized to be issued under section 203(a) within the class to which the alien is chargeable, for the fiscal year then current."

Ante, p. 912.

(b) Subsection (c) is amended to read:

"(c) The provisions of this section shall not be applicable to any alien who is a native of any country of the Western Hemisphere or of any adjacent island named in section 101(b)(5)."

72 Stat. 699.
8 USC 1255.

SEC. 14. Section 281 of the Immigration and Nationality Act (66 Stat. 230; 8 U.S.C. 1351) is amended as follows:

Fees.

(a) Immediately after "SEC. 281." insert "(a)";

(b) Paragraph (6) is amended to read as follows:

"(6) For filing with the Attorney General of each petition under section 204 and section 214(c), $10; and";

Ante, p. 915.
8 USC 1184.

(c) The following is inserted after paragraph (7), and is designated subsection (b):

"(b) The time and manner of payment of the fees specified in paragraphs (1) and (2) of subsection (a) of this section, including but not limited to partial deposit or prepayment at the time of registration, shall be prescribed by the Secretary of State."; and

(d) The paragraph beginning with the words "The fees * * *" is designated subsection (c).

SEC. 15. (a) Paragraph (1) of section 212(a) of the Immigration and Nationality Act (66 Stat. 182; 8 U.S.C. 1182(a)(1)) is amended by deleting the language "feebleminded" and inserting the language "mentally retarded" in its place.

(b) Paragraph (4) of section 212(a) of the Immigration and Nationality Act (66 Stat. 182; 8 U.S.C. 1182(a)(4)) is amended by deleting the word "epilepsy" and substituting the words "or sexual deviation".

(c) Sections 212 (f), (g), and (h) of the Immigration and Nationality Act, as added by the Act of September 26, 1961 (75 Stat. 654, 655; 8 U.S.C. 1182), are hereby redesignated sections 212 (g), (h), and (i), respectively, and section 212(g) as so redesignated is amended by inserting before the words "afflicted with tuberculosis in any form" the following: "who is excludable from the United States under paragraph (1) of subsection (a) of this section, or any alien" and by adding at the end of such subsection the following sentence: "Any alien excludable under paragraph (3) of subsection (a) of this section because of past history of mental illness who has one of the same family relationships as are prescribed in this subsection for aliens afflicted with tuberculosis and whom the Surgeon General of the United States Public Health Service finds to have been free of such mental illness for a period of time sufficient in the light of such history to demonstrate recovery shall be eligible for a visa in accordance with the terms of this subsection."

Mentally ill. Eligibility conditions.

SEC. 16. Sections 1, 2, and 11 of the Act of July 14, 1960 (74 Stat. 504-505), as amended by section 6 of the Act of June 28, 1962 (76 Stat. 124), are repealed.

Repeal.
8 USC 1182 note.

SEC. 17. Section 221(g) of the Immigration and Nationality Act (66 Stat. 192; 8 U.S.C. 1201(g)) is amended by deleting the period at the end thereof and adding the following: ": *Provided further*, That a visa may be issued to an alien defined in section 101(a)(15) (B) or (F), if such alien is otherwise entitled to receive a visa, upon receipt of a notice by the consular officer from the Attorney General of the giving of a bond with sufficient surety in such sum and containing such conditions as the consular officer shall prescribe, to insure that at the expiration of the time for which such alien has

Nonimmigrant visas. Bonding requirements.

8 USC 1101.

66 Stat. 189.
8 USC 1184.

been admitted by the Attorney General, as provided in section 214(a), or upon failure to maintain the status under which he was admitted, or to maintain any status subsequently acquired under section 248 of the Act, such alien will depart from the United States."

8 USC 1258.

SEC. 18. So much of section 272(a) of the Immigration and Nationality Act (66 Stat. 226; 8 U.S.C. 1322(a)) as precedes the words "shall pay to the collector of customs" is amended to read as follows:

"SEC. 272. (a) Any person who shall bring to the United States an alien (other than an alien crewman) who is (1) mentally retarded, (2) insane, (3) afflicted with psychopathic personality, or with sexual deviation, (4) a chronic alcoholic, (5) afflicted with any dangerous contagious disease, or (6) a narcotic drug addict,".

72 Stat. 546.

SEC. 19. Section 249 of the Immigration and Nationality Act (66 Stat. 219; 8 U.S.C. 1259) is amended by striking out "June 28, 1940" in clause (a) of such section and inserting in lieu thereof "June 30, 1948."

Effective date.

SEC. 20. This Act shall become effective on the first day of the first month after the expiration of thirty days following the date of its enactment except as provided herein.

Select Commission on Western Hemisphere Immigration.
Establishment.

SEC. 21. (a) There is hereby established a Select Commission on Western Hemisphere Immigration (hereinafter referred to as the "Commission") to be composed of fifteen members. The President shall appoint the Chairman of the Commission and four other members thereof. The President of the Senate, with the approval of the majority and minority leaders of the Senate, shall appoint five members from the membership of the Senate. The Speaker of the House of Representatives, with the approval of the majority and minority leaders of the House, shall appoint five members from the membership of the House. Not more than three members appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, shall be members of the same political party. A vacancy in the membership of the Commission shall be filled in the same manner as the original designation and appointment.

Study.

(b) The Commission shall study the following matters:

(1) Prevailing and projected demographic, technological, and economic trends, particularly as they pertain to Western Hemisphere nations;

(2) Present and projected unemployment in the United States, by occupations, industries, geographic areas and other factors, in relation to immigration from the Western Hemisphere;

(3) The interrelationships between immigration, present and future, and existing and contemplated national and international programs and projects of Western Hemisphere nations, including programs and projects for economic and social development;

(4) The operation of the immigration laws of the United States as they pertain to Western Hemisphere nations, including the adjustment of status for Cuban refugees, with emphasis on the adequacy of such laws from the standpoint of fairness and from the standpoint of the impact of such laws on employment and working conditions within the United States;

(5) The implications of the foregoing with respect to the security and international relations of Western Hemisphere nations; and

(6) Any other matters which the Commission believes to be germane to the purposes for which it was established.

Reports to President and Congress.

(c) On or before July 1, 1967, the Commission shall make a first report to the President and the Congress, and on or before January 15, 1968, the Commission shall make a final report to the President and the Congress. Such reports shall include the recommendations

of the Commission as to what changes, if any, are needed in the immigration laws in the light of its study. The Commission's recommendations shall include, but shall not be limited to, recommendations as to whether, and if so how, numerical limitations should be imposed upon immigration to the United States from the nations of the Western Hemisphere. In formulating its recommendations on the latter subject, the Commission shall give particular attention to the impact of such immigration on employment and working conditions within the United States and to the necessity of preserving the special relationship of the United States with its sister Republics of the Western Hemisphere.

Termination.

(d) The life of the Commission shall expire upon the filing of its final report, except that the Commission may continue to function for up to sixty days thereafter for the purpose of winding up its affairs.

(e) Unless legislation inconsistent herewith is enacted on or before June 30, 1968, in response to recommendations of the Commission or otherwise, the number of special immigrants within the meaning of section 101(a)(27)(A) of the Immigration and Nationality Act, as amended, exclusive of special immigrants who are immediate relatives of United States citizens as described in section 201(b) of that Act, shall not, in the fiscal year beginning July 1, 1968, or in any fiscal year thereafter, exceed a total of 120,000.

Ante, p. 916.

Ante, p. 911.

(f) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its duties.

Compensation.

(g) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $100 for each day spent in the work of the Commission, shall be paid actual travel expenses, and per diem in lieu of subsistence expenses, when away from his usual place of residence, in accordance with section 5 of the Administrative Expenses Act of 1946, as amended. Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be paid actual travel expenses, when away from his usual place of residence, in accordance with the Administrative Expenses Act of 1946, as amended.

60 Stat. 808; 75 Stat. 339, 340. 5 USC 73b-2.

Appropriation.

(h) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this section.

66 Stat. 175.

SEC. 22. (a) The designation of chapter 1, title II, is amended to read as follows: "CHAPTER 1—SELECTION SYSTEM".

(b) The title preceding section 201 is amended to read as follows: "NUMERICAL LIMITATIONS".

(c) The title preceding section 202 is amended to read as follows: "NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE".

(d) The title preceding section 203 is amended to read as follows: "ALLOCATION OF IMMIGRANT VISAS".

(e) The title preceding section 204 is amended to read as follows: "PROCEDURE FOR GRANTING IMMIGRANT STATUS".

(f) The title preceding section 205 is amended to read as follows: "REVOCATION OF APPROVAL OF PETITIONS".

(g) The title preceding section 206 is amended to read as follows: "UNUSED IMMIGRANT VISAS".

(h) The title preceding section 207 is repealed.

(i) The title preceding section 224 of chapter 3, title II, is amended to read as follows: "IMMEDIATE RELATIVE AND SPECIAL IMMIGRANT VISAS".

(j) The title preceding section 249 is amended to read as follows: "RECORD OF ADMISSION FOR PERMANENT RESIDENCE IN THE CASE OF CERTAIN ALIENS WHO ENTERED THE UNITED STATES PRIOR TO JULY 1, 1924, OR JUNE 30, 1948".

66 Stat. 163.

SEC. 23. (a) The table of contents (Title II—Immigration, chapter 1) of the Immigration and Nationality Act, is amended to read as follows:

"CHAPTER 1—SELECTION SYSTEM

"Sec. 201. Numerical limitations.
"Sec. 202. Numerical limitation to any single foreign state.
"Sec. 203. Allocation of immigrant visas.
"Sec. 204. Procedure for granting immigrant status.
"Sec. 205. Revocation of approval of petitions.
"Sec. 206. Unused immigrant visas."

(b) The table of contents (Title II—Immigration, chapter 3) of the Immigration and Nationality Act, is amended by changing the designation of section 224 to read as follows:

"Sec. 224. Immediate relative and special immigrant visas."

(c) The table of contents (Title II—Immigration, chapter 5) of the Immigration and Nationality Act is amended by changing the designation of section 249 to read as follows:

"Sec. 249. Record of admission for permanent residence in the case of certain aliens who entered the United States prior to July 1, 1924, or June 30, 1948."

Repeal.
75 Stat. 650.
8 USC 1101.

SEC. 24. Paragraph (6) of section 101(b) is repealed.

Approved October 3, 1965, 3:25 p.m.

Public Law 89-237

October 4, 1965
[H. R. 4152]

AN ACT

To amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes.

Federal Farm Loan Act and Farm Credit Act of 1933, amendments.
70 Stat. 663.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Farm Loan Act, as amended, is hereby amended—

(a) by inserting immediately before the semicolon at the end of paragraph (1) of section 202(a) thereof (12 U.S.C. 1031(1)) the following: "or without collateral to the extent authorized under rules and regulations prescribed by the Farm Credit Administration";

49 Stat. 315.

(b) by striking out "*Provided*" and all that follows it in section 203(a) thereof (12 U.S.C. 1041) and substituting therefor the following: "*Provided*, That the aggregate amount of the outstanding debentures and similar obligations issued by the Federal intermediate credit banks shall not exceed twelve times the surplus and paid-in capital of all such banks.";

70 Stat. 660.

(c) in section 205(a) thereof (12 U.S.C. 1061(a))—

(i) by substituting "one-eighth" for "one-sixth" in the ninth sentence of paragraph (1); and

(ii) by inserting the following as two separate paragraphs between the eleventh and twelfth sentences of paragraph (2):

"Each Federal intermediate credit bank, with the approval of the Farm Credit Administration, may determine the amount of

additional class B stock in the bank to be subscribed for by the production credit associations in the farm credit district served by the bank in order to provide capital to meet the credit needs of the bank. The amount so determined shall be allotted among the production credit associations in the district upon such basis that, as nearly as may be practicable, the sum of the class B stock already owned and the additional amount to be subscribed for by each association will be in the same proportion to the total amount of class B stock already owned and to be subscribed for by all of the associations in the district that the average indebtedness (loans and discounts) of each association to the bank during the immediately preceding three fiscal years is of the average of such indebtedness of all production credit associations to the bank during such three-year period. Each production credit association shall subscribe for class B stock in the bank in the amount so allotted to it. Such subscriptions shall be subject to call and payment therefor shall be made at such times and in such amounts as may be determined by the bank.

"Whenever the relative amounts of class B stock in a Federal intermediate credit bank owned by the production credit associations differ substantially from the proportion indicated in the preceding paragraph, and additional subscriptions to class B stock through which such proportion could be reestablished are not contemplated, the Federal intermediate credit bank, with the approval of the Farm Credit Administration, may direct either separately or in combination such transfers, retirements, and reissuance of outstanding class B stock among the associations as will reestablish the aforesaid proportion as nearly as may be practicable. Outstanding class B stock which is transferred or retired for this purpose shall be the oldest stock held by the association and the bank shall pay the association therefor at the fair book value thereof not exceeding par and collect therefor from any production credit association to which such stock is transferred or reissued."; and

(d) in section 206 thereof (12 U.S.C. 1072)— 70 Stat. 662.

(i) by striking out "equal to 25 per centum of the outstanding capital stock and participation certificates of the bank" from clause (3) of the first sentence of subsection (a);

(ii) by striking out the second sentence of subsection (a) and inserting in lieu thereof as a separate paragraph the following: "Amounts applied to reserve account as provided in (3) above, either heretofore or hereafter, shall be allocated on the same patronage basis and have the same tax treatment as is provided in subsection (b) of this section for patronage refunds. Such allocations of reserve account shall be subject to a first lien as additional collateral for any indebtedness of the holders thereof to the bank and in any case where such indebtedness is in default may be retired and canceled for application on such indebtedness, and, in case of liquidation or dissolution of a holder thereof, such reserve account allocations may be retired, all as is provided for capital stock and participation certificates in section 205 of this Act. At the end of any fiscal year that the reserve account of any bank exceeds 25 per centum of its outstanding capital stock and participation certificates, such excess may be distributed, oldest allocations first, in class B stock and participation certificates issued as of the date of the allocations and, whenever the bank has no class A stock outstanding, also in money."; and

(iii) by inserting immediately before the last sentence of subsection (c) the following new sentence: "Any of the reserve estab-

lished pursuant to subsection (a) of this section shall be paid to the production credit associations and other financing institutions to which such reserve is allocated on the books of the bank.".

SEC. 2. The Farm Credit Act of 1933, as amended, is amended—

69 Stat. 663.

(a) by adding the following at the end of subsection (b) of section 22 thereof (12 U.S.C. 1131f(b)): "When so specified in the approval by the Federal intermediate credit bank, such dividends may be paid even though the amount in the surplus account provided for in subsection (a) is less than the minimum prescribed by the bank. If the bylaws of a production credit association so provide, (1) any remaining net earnings at the end of a fiscal year may be distributed on a patronage basis in class A stock of the association and, when the United States does not hold class A stock in the association, also in money, and (2) any part of the earnings for the fiscal year in excess of operating expenses held in the surplus account may be allocated to borrowers on a patronage basis. With the approval of the Federal intermediate credit bank, amounts so allocated may be distributed, oldest allocations first, in class A stock of the association issued as of the date of the allocation and, when the United States does not hold class A stock in the association, also in money. As used in the second preceding sentence 'on a patronage basis' means in the proportion that the amount of interest earned on the loans of each borrower bears to the total interest earned on the loans of all borrowers during the the fiscal year."; and

(b) by adding the following as a separate paragraph at the end of section 23 thereof (12 U.S.C. 1131g):

"As a further means of providing capital, a production credit association may, upon such terms and conditions as may be provided in its bylaws, require borrowers to invest in an equity reserve in the association. Amounts so invested by each borrower shall be subject to a lien for the indebtedness of the borrower to the association, application on such indebtedness in event of default by the borrower, charges for losses of the association which are in excess of other loss reserves and surplus, and any portion of the amounts so invested which have not been so used and no longer are required for the purposes of the association may be returned to the borrower by revolving or retirement, all as may be provided in said bylaws."

Approved October 4, 1965.

Public Law 89-238

AN ACT

To amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961.

October 5, 1965
[H. R. 5842]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766; 30 U.S.C. 681 et seq.), as amended, is further amended—

Lead and zinc stabilization program.

(1) by substituting for the present text of section 2(d) the following: "The maximum amount of payments which may be made pursuant to this Act on account of sales of newly mined ores or concentrates produced therefrom made during any calendar year shall not exceed $2,500,000";

(2) by substituting for the present text of section 3(a) the following: "Subject to the provisions of subsections (b) and (c) of this section, no stabilization payments under this Act shall be made to any small domestic producer on sales, or further processing in lieu of sales, in any calendar year in excess of one thousand two hundred tons of zinc and one thousand two hundred tons of lead";

"Small domestic producer."

(3) by substituting for the present text of section 6(a)(2) the following: "The term 'small domestic producer' means any person or firm who, during a period of not less than twelve months, has engaged in producing ores or concentrates from mines located within the United States or its possessions and in selling the material so produced in normal commercial channels and who, during any twelve-month period between January 1, 1960, and the first day of the period for which he seeks payments under this Act, has not produced or sold ores or concentrates the recoverable content of which is more than three thousand tons of lead and zinc combined, recoverable content being computed as 95 per centum of the lead content of the ores or concentrates and 85 per centum of the zinc content of the ores or concentrates: *Provided*, That the principal product or products of such producer is either lead or zinc or a combination of lead and zinc. The term 'small domestic producer' does not include any firm which is a subsidiary of, or controlled by, a large producer.";

Termination date, extension.

(4) by substituting in section 7 the dates December 31, 1969 and March 31, 1970 for the dates December 31, 1965 and March 31, 1966, respectively, which appear therein; and

(5) by deletion of section 9(c).

Effective date.

SEC. 2. The amendments to the Act of October 3, 1961, as amended, which are contained in section 1 of this Act shall be effective on January 1, 1966.

Approved October 5, 1965.

Public Law 89-239

October 6, 1965
[S. 596]

AN ACT

To amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and related diseases.

Heart Disease, Cancer, and Stroke Amendments of 1965.

58 Stat. 682.
42 USC 201 note.

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 "Heart Disease, Cancer, and Stroke Amendments of 1965".

SEC. 2. The Public Health Service Act (42 U.S.C., ch. 6A) is amended by adding at the end thereof the following new title:

"TITLE IX—EDUCATION, RESEARCH, TRAINING, AND DEMONSTRATIONS IN THE FIELDS OF HEART DISEASE, CANCER, STROKE, AND RELATED DISEASES

"PURPOSES

"SEC. 900. The purposes of this title are—

"(a) Through grants, to encourage and assist in the establishment of regional cooperative arrangements among medical schools, research institutions, and hospitals for research and training (including continuing education) and for related demonstrations of patient care in the fields of heart disease, cancer, stroke, and related diseases;

"(b) To afford to the medical profession and the medical institutions of the Nation, through such cooperative arrangements, the opportunity of making available to their patients the latest advances in the diagnosis and treatment of these diseases; and

"(c) By these means, to improve generally the health manpower and facilities available to the Nation, and to accomplish these ends without interfering with the patterns, or the methods of financing, of patient care or professional practice, or with the administration of hospitals, and in cooperation with practicing physicians, medical center officials, hospital administrators, and representatives from appropriate voluntary health agencies.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 901. (a) There are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1966, $90,000,000 for the fiscal year ending June 30, 1967, and $200,000,000 for the fiscal year ending June 30, 1968, for grants to assist public or nonprofit private universities, medical schools, research institutions, and other public or nonprofit private institutions and agencies in planning, in conducting feasibility studies, and in operating pilot projects for the establishment, of regional medical programs of research, training, and demonstration activities for carrying out the purposes of this title. Sums appropriated under this section for any fiscal year shall remain available for making such grants until the end of the fiscal year following the fiscal year for which the appropriation is made.

"(b) A grant under this title shall be for part or all of the cost of the planning or other activities with respect to which the application is made, except that any such grant with respect to construction of, or provision of built-in (as determined in accordance with regulations) equipment for, any facility may not exceed 90 per centum of the cost of such construction or equipment.

"(c) Funds appropriated pursuant to this title shall not be available to pay the cost of hospital, medical, or other care of patients

except to the extent it is, as determined in accordance with regulations, incident to those research, training, or demonstration activities which are encompassed by the purposes of this title. No patient shall be furnished hospital, medical, or other care at any facility incident to research, training, or demonstration activities carried out with funds appropriated pursuant to this title, unless he has been referred to such facility by a practicing physician.

"DEFINITIONS

"SEC. 902. For the purposes of this title—

"(a) The term 'regional medical program' means a cooperative arrangement among a group of public or nonprofit private institutions or agencies engaged in research, training, diagnosis, and treatment relating to heart disease, cancer, or stroke, and, at the option of the applicant, related disease or diseases; but only if such group—

"(1) is situated within a geographic area, composed of any part or parts of any one or more States, which the Surgeon General determines, in accordance with regulations, to be appropriate for carrying out the purposes of this title;

"(2) consists of one or more medical centers, one or more clinical research centers, and one or more hospitals; and

"(3) has in effect cooperative arrangements among its component units which the Surgeon General finds will be adequate for effectively carrying out the purposes of this title.

"(b) The term 'medical center' means a medical school or other medical institution involved in postgraduate medical training and one or more hospitals affiliated therewith for teaching, research, and demonstration purposes.

"(c) The term 'clinical 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.

"(d) The term 'hospital' means a hospital as defined in section 625(c) or other health facility in which local capability for diagnosis and treatment is supported and augmented by the program established under this title.

"(e) The term 'nonprofit' as applied to any institution or agency means an institution or agency which is owned and operated by one or more nonprofit 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.

"(f) The term 'construction' includes alteration, major repair (to the extent permitted by regulations), remodeling and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

"GRANTS FOR PLANNING

"SEC. 903. (a) The Surgeon General, upon the recommendation of the National Advisory Council on Regional Medical Programs established by section 905 (hereafter in this title referred to as the 'Council'), is authorized to make grants to public or nonprofit private universities, medical schools, research institutions, and other public or nonprofit private agencies and institutions to assist them in planning the development of regional medical programs.

"(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it contains or is supported by—

"(1) reasonable assurances that Federal funds paid pursuant to any such grant will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder;

"(2) reasonable assurances that the applicant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement of and accounting for such Federal funds;

"(3) reasonable assurances that the applicant 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 may find necessary to assure the correctness and verification of such reports; and

"(4) a satisfactory showing that the applicant has designated an advisory group, to advise the applicant (and the institutions and agencies participating in the resulting regional medical program) in formulating and carrying out the plan for the establishment and operation of such regional medical program, which advisory group includes practicing physicians, medical center officials, hospital administrators, representatives from appropriate medical societies, voluntary health agencies, and representatives of other organizations, institutions, and agencies concerned with activities of the kind to be carried on under the program and members of the public familiar with the need for the services provided under the program.

"GRANTS FOR ESTABLISHMENT AND OPERATION OF REGIONAL MEDICAL PROGRAMS

"SEC. 904. (a) The Surgeon General, upon the recommendation of the Council, is authorized to make grants to public or nonprofit private universities, medical schools, research institutions, and other public or nonprofit private agencies and institutions to assist in establishment and operation of regional medical programs, including construction and equipment of facilities in connection therewith.

"(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it is recommended by the advisory group described in section 903(b)(4) and contains or is supported by reasonable assurances that—

"(1) Federal funds paid pursuant to any such grant (A) will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder, and (B) will not supplant funds that are otherwise available for establishment or operation of the regional medical program with respect to which the grant is made;

"(2) the applicant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement of and accounting for such Federal funds;

Records.

"(3) the applicant 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 may find necessary to assure the correctness and verification of such reports; and

"(4) any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by payments pursuant to any grant under this section 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).

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267.

63 Stat. 108.

"NATIONAL ADVISORY COUNCIL ON REGIONAL MEDICAL PROGRAMS

Appointment of members.

"SEC. 905. (a) The Surgeon General, with the approval of the Secretary, may appoint, without regard to the civil service laws, a National Advisory Council on Regional Medical Programs. The Council shall consist of the Surgeon General, who shall be the chairman, and twelve members, not otherwise in the regular full-time employ of the United States, who are leaders in the fields of the fundamental sciences, the medical sciences, or public affairs. At least two of the appointed members shall be practicing physicians, one shall be outstanding in the study, diagnosis, or treatment of heart disease, one shall be outstanding in the study, diagnosis, or treatment of cancer, and one shall be oustanding in the study, diagnosis, or treatment of stroke.

Term of office.

"(b) Each appointed member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, four at the end of the first year, four at the end of the second year, and four at the end of the third year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms.

Compensation.

"(c) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, 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 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.

Applications for grants, recommendations.

"(d) The Council shall advise and assist the Surgeon General in the preparation of regulations for, and as to policy matters arising with respect to, the administration of this title. The Council shall consider all applications for grants under this title and shall make recommendations to the Surgeon General with respect to approval of applications for and the amounts of grants under this title.

"REGULATIONS

"SEC. 906. The Surgeon General, after consultation with the Council, shall prescribe general regulations covering the terms and conditions for approving applications for grants under this title and the coordination of programs assisted under this title with programs for training, research, and demonstrations relating to the same diseases assisted or authorized under other titles of this Act or other Acts of Congress.

"INFORMATION ON SPECIAL TREATMENT AND TRAINING CENTERS

"SEC. 907. The Surgeon General shall establish, and maintain on a current basis, a list or lists of facilities in the United States equipped and staffed to provide the most advanced methods and techniques in the diagnosis and treatment of heart disease, cancer, or stroke, together with such related information, including the availability of advanced specialty training in such facilities, as he deems useful, and shall make such list or lists and related information readily available to licensed practitioners and other persons requiring such information. To the end of making such list or lists and other information most useful, the Surgeon General shall from time to time consult with interested national professional organizations.

"REPORT

Report to President and Congress.

"SEC. 908. On or before June 30, 1967, the Surgeon General, after consultation with the Council, shall submit to the Secretary for transmission to the President and then to the Congress, a report of the activities under this title together with (1) a statement of the relationship between Federal financing and financing from other sources of the activities undertaken pursuant to this title, (2) an appraisal of the activities assisted under this title in the light of their effectiveness in carrying out the purposes of this title, and (3) recommendations with respect to extension or modification of this title in the light thereof.

"RECORDS AND AUDIT

"SEC. 909. (a) Each recipient of a grant under this title 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 title which are pertinent to any such grant."

58 Stat. 682.

SEC. 3. (a) Section 1 of the Public Health Service Act is amended to read as follows:

42 USC 201-298b.

"SECTION 1. Titles I to IX, inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title IX (as in effect prior to the enactment of this Act) as title X, and by renumbering sections 901 through 914 (as in effect prior to the enactment of this Act), and references thereto, as sections 1001 through 1014, respectively.

42 USC 201 note.

Approved October 6, 1965, 10:15 a.m.

Public Law 89-240

October 7, 1965
[S. 1766]

AN ACT

To amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply, water systems, and waste disposal systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, 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 306(a) of the Consolidated Farmers Home Administration Act is amended to read as follows:

Consolidated Farmers Home Administration Act of 1961, amendments.
75 Stat. 308.
7 USC 1926.

"(1) The Secretary is also authorized to make or insure loans to associations, including corporations not operated for profit, and public and quasi-public agencies to provide for the application or establishment of soil conservation practices, shifts in land use, the conservation, development, use, and control of water, and the installation or improvement of drainage or waste disposal facilities, and recreational developments, all primarily serving farmers, ranchers, farm tenants, farm laborers, and other rural residents, and to furnish financial assistance or other aid in planning projects for such purposes.

Loans to associations, corporations, etc.

"(2) The Secretary is authorized to make grants aggregating not to exceed $50,000,000 in any fiscal year to such associations to finance specific projects for works for the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas. The amount of any grant made under the authority of this paragraph shall not exceed 50 per centum of the development cost of the project to serve the area which the association determines can be feasibly served by the facility and to adequately serve the reasonably foreseeable growth needs of the area.

Limitation.

"(3) No grant shall be made under paragraph 2 of this subsection in connection with any facility unless the Secretary determines that the project (i) will serve a rural area which is not likely to decline in population below that for which the facility was designed, (ii) is designed and constructed so that adequate capacity will be or can be made available to serve the present population of the area to the extent feasible and to serve the reasonably foreseeable growth needs of the area, or (iii) is necessary for orderly community development consistent with a comprehensive community water or sewer development plan of the rural area and not inconsistent with any planned development under State, county, or municipal plans approved as official plans by competent authority for the area in which the rural community is located and the Secretary shall establish regulations requiring the submission of all applications for financial assistance under this Act to the county or municipal government in which the proposed project is to be located for review and comment by such agency within a designated period of time. Until October 1, 1968, the Secretary may make grants prior to the completion of the comprehensive plan, if the preparation of such plan has been undertaken for the area.

Conditions.

"Development cost."

"(4)(A) The term 'development cost' means the cost of construction of a facility and the land, easements, and rights-of-way, and water rights necessary to the construction and operation of the facility.

"Project."

"(B) The term 'project' shall include facilities providing central service or facilities serving individual properties, or both.

50 Stat. 869; 75 Stat. 318. 16 USC 590r-590x-4.

"(5) No loan or grant shall be made under this subsection which would cause the unpaid principal indebtedness of any association under this Act and under the Act of August 28, 1937, as amended, together with the amount of any assistance in the form of a grant to exceed $4,000,000 at any one time.

"(6) The Secretary may make grants aggregating not to exceed $5,000,000 in any fiscal year to public bodies or such other agencies as the Secretary may determine having authority to prepare official comprehensive plans for the development of water or sewer systems in rural areas which do not have funds available for immediate undertaking of the preparation of such plan.

"(7) Rural areas, for the purposes of water and waste disposal projects shall not include any area in any city or town which has a population in excess of 5,500 inhabitants.

"(8) In each instance where the Secretary receives two or more applications for financial assistance for projects that would serve substantially the same group of residents within a single rural area, and one such application is submitted by a city, town, county or other unit of general local government, he shall, in the absence of substantial reasons to the contrary, provide such assistance to such city, town, county or other unit of general local government.

Water pollution restrictions.

"(9) No Federal funds shall be authorized for use unless it be certified by the appropriate State water pollution control agency that the water supply system authorized will not result in pollution of waters of the State in excess of standards established by that agency.

"(10) In the case of sewers and waste disposal systems, no Federal funds shall be advanced hereunder unless the appropriate State water pollution control agency shall certify that the effluent therefrom shall conform with appropriate State and Federal water pollution control standards when and where established."

Real estate loans. 76 Stat. 908. 7 USC 1928.

SEC. 2. (a) Section 308 of the Consolidated Farmers Home Administration Act of 1961 is amended by—

(1) striking out "$200,000,000" and inserting in lieu thereof "$450,000,000";

(2) in clause (a) striking out "except that no agreement shall provide for purchase by the Secretary at a date sooner than three years from the date of the note"; and

(3) striking out clause (b) and inserting in lieu thereof "(b) may retain out of payments by the borrower a charge at a rate specified in the insurance agreement applicable to the loan".

75 Stat. 309. 7 USC 1929.

(b) Section 309(e) of such Act is amended by striking out "such portion of the charge collected in connection with the insurance of loans at least equal to a rate of one-half of 1 per centum per annum on the outstanding principal obligations and the remainder of such charge" and inserting in lieu thereof "all or a portion, not to exceed one-half of 1 per centum of the unpaid principal balance of the loan, of any charge collected in connection with the insurance of loans; and any remainder of any such charge".

76 Stat. 632. 7 USC 1929.

(c) Section 309(f)(1) of such Act is amended by striking out "$25,000,000" and inserting in lieu thereof "$50,000,000".

Approved October 7, 1965, 10:15 a.m.

Public Law 89-241

AN ACT

October 7, 1965
[H. R. 7969]

To correct certain errors in the Tariff Schedules 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,

Tariff Schedules Technical Amendments Act of 1965.

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tariff Schedules Technical Amendments Act of 1965".

(b) AMENDMENT OF 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 (28 F.R., part II, Aug. 17, 1963; 77A Stat.; 19 U.S.C., sec. 1202). Each page reference "(p. —)" in this Act refers to the page on which the item or provision referred to appears both in part II of the Federal Register for August 17, 1963, and in volume 77A of the United States Statutes at Large.

(c) CITATION OF SCHEDULES.—Title I of the Tariff Act of 1930, as in effect on or after August 31, 1963, may be cited as the "Tariff Schedules of the United States".

SEC. 2. EFFECTIVE DATE.

(a) Except as otherwise provided, the amendments and repeals made by this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the 60th day after the date of the enactment of this Act.

(b) Upon request therefor filed with the collector of customs 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 61st day after the date of the enactment of this Act, and

(2) with respect to which the amount of duty would be smaller if the amendments and repeals made by this Act (other than the amendments made by sections 28(a), 53(a), 78 (a) and (b), and 87(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 61st day after the date of the enactment of this Act.

46 Stat. 734.
19 USC 1514.

SEC. 3. STATUS OF CERTAIN CHANGES IN TARIFF SCHEDULES.

(a) For purposes of applying paragraphs (4) and (5) of section 256 (19 U.S.C., sec. 1886) and section 351(b) (19 U.S.C., sec. 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., sec. 1351(c)(2)(A))—

76 Stat. 881, 899.
69 Stat. 165.

(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.

(b) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States as changed by this Act which are lower than the rates of duty in rate column numbered 2 of such Schedules for the corresponding items shall be treated—

(1) as not having the status of statutory provisions enacted by the Congress, but

(2) as having been proclaimed by the President as being required or appropriate to carry out foreign trade agreements to which the United States is a party.

(c) The changes in part 2 of the Appendix to the Tariff Schedules of the United States made by section 30 of this Act shall be treated—

Post, p. 939.

(1) as not having the status of statutory provisions enacted by the Congress, but

(2) as having been proclaimed by the President pursuant to paragraph (2) of section 102 of the Tariff Classification Act of 1962 (19 U.S.C., sec. 1202 note).

76 Stat. 73.

(d) The changes in part 3 of the Appendix to the Tariff Schedules of the United States made by section 88 of this Act shall be treated—

Post, p. 950.

(1) as not having the status of statutory provisions enacted by the Congress, but

(2) as having been proclaimed by the President pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C., sec. 624).

64 Stat. 261.

SEC. 4. CONTAINERS NOT IMPORTED EMPTY.

The first sentence of subparagraph (i) of general headnote 6(b) (p. 12) is amended to read as follows: "The usual or ordinary types of shipping or transportation containers or holders, if not designed for, or capable of, reuse, and containers of usual types ordinarily sold at retail with their contents, are not subject to treatment as imported articles."

19 USC 1202.

SEC. 5. GRAPE JUICE.

Item 165.40 (p. 64) is amended by striking out "9¢ per gal." and inserting in lieu thereof "50¢ per gal.", and by striking out "70¢ per gal." and inserting in lieu thereof "$1 per gal.".

SEC. 6. EDIBLE PREPARATIONS, ANIMAL FEEDS, AND INGREDIENTS THEREFOR.

(a) EDIBLE PREPARATIONS.—Headnote 3 for schedule 1, part 15, subpart B (p. 78) is amended by inserting before the period at the end thereof the following: ", but such term does not include any substance provided for in schedule 4 (except part 2E thereof) or schedule 5 (except part 1K thereof)".

(b) ANIMAL FEEDS.—Headnote 1(a) for schedule 1, part 15, subpart C (p. 79) is amended by inserting after "respectively" the following: ", but such term does not include any product provided for in schedule 4 (except part 2E thereof) or schedule 5 (except part 1K thereof)".

SEC. 7. WILD RICE.

Schedule 1, part 15, subpart B is amended by inserting after item 182.58 (p. 78) the following new item:

" | 182.70 | Wild rice, crude or processed . . . . . | 5% ad val. | 10% ad val. | "

SEC. 8. SEAWEEDS.

Item 192.05 (p. 83) is amended by striking out "Carrageen," and inserting in lieu thereof "Seaweeds,".

SEC. 9. FLORIST ARTICLES.

Item 192.20 (p. 84) is amended to read as follows:

" 192.20	Cut flowers, fresh; bouquets, wreaths, sprays, or similar articles made from such flowers or other fresh plant parts	10% ad val.	40% ad val. "

SEC. 10. HARVESTING CONTAINERS AND AGRICULTURAL SPRAYERS.

(a) HARVESTING CONTAINERS.—Schedule 2, part 1, subpart D is amended by inserting after item 204.25 (p. 91) the following: 19 USC 1202.

204.27	Containers designed for use in the harvesting of fruits and vegetables	Free	Free

(b) SPRAYERS.—The article description for item 662.45 (p. 312) is amended by striking out ", self-contained, having a capacity over 5 gallons," and inserting in lieu thereof "(except sprayers, self-contained, having a capacity not over 5 gallons)".

SEC. 11. CERTAIN BOXES AND CASES COVERED OR LINED WITH TEXTILE FABRICS.

(a) JEWELRY BOXES, ETC., OF WOOD.—Item 204.50 (p. 91) is amended by striking out "8.5 % ad val." and inserting in lieu thereof "5% ad val.".

(b) BOXES OF PAPER, ETC.—Item 256.50 (p. 106) is repealed and item 256.48 is amended— Repeal.

(1) by striking out "but not" and inserting in lieu thereof "or", and

(2) by striking out "4% ad val." and inserting in lieu thereof "5% ad val.".

SEC. 12. CORK.

(a) GASKETING MATERIALS.—Schedule 2, part 2, subpart A is amended by inserting after item 220.20 (p. 93) the following new item:

220.25	Vulcanized sheets and slabs wholly of ground or pulverized cork and rubber	10% ad val.	25% ad val.

(b) FLOOR COVERINGS.—The article description for item 728.20 (p. 365) is amended by striking out "composition".

SEC. 13. WOOD PARTICLE BOARD.

Schedule 2, part 3 is amended by striking out item 245.50 (p. 98) and inserting in lieu thereof the following:

	Wood particle board, whether or not face finished:		
245.45	If 90 percent or more by weight of the wood components consist of one, or any combination, of the following hardwoods: Pterocarpus spp., Triplaris spp., or Virola spp	12% ad val.	40% ad val.
245.50	Other	20% ad val.	40% ad val.

SEC. 14. SHOEBOARD.

Item 251.49 (p. 103) is amended by striking out "Leatherboard" and inserting in lieu thereof "Shoeboard".

SEC. 15. TEXTILE FABRICS, COATED OR FILLED, OR LAMINATED, WITH RUBBER OR PLASTICS; ARTICLES MADE FROM SUCH FABRICS.

(a) CLASSIFICATION OF CERTAIN ARTICLES WHOLLY OR IN PART OF FABRICS COATED OR FILLED, OR LAMINATED, WITH RUBBER OR PLASTICS.—The headnotes for schedule 3 are amended—

(1) by inserting "except as provided by headnote 5," before "articles" at the beginning of subparagraph (vi) of headnote 2(a) (p. 114), and

(2) by adding after headnote 4 (p. 115) the following new headnote:

"5. For the purposes of parts 5, 6, and 7 of this schedule and parts 1 (except subpart A), 4, and 12 of schedule 7, in determining the classification of any article which is wholly or in part of a fabric coated or filled, or laminated, with nontransparent rubber or plastics (which fabric is provided for in part 4C of this schedule), the fabric shall be regarded not as a textile material but as being wholly of rubber or plastics to the extent that (as used in the article) the nontransparent 77A Stat. 145.

rubber or plastics forms either the outer surface of such article or the only exposed surface of such fabric."

Repeal.
19 USC 1202.

(b) DETERMINATION OF COMPONENT FIBERS OF CHIEF VALUE IN COATED OR FILLED FABRICS, ETC.—Headnote 3 for schedule 3, part 4, subpart C (p. 145) is repealed, and headnote 4 for schedule 3 (p. 115) is amended to read as follows:

"4. For the purposes of the tariff schedules—

"(a) Except as specifically provided otherwise, in determining the yarn count of fabrics, the warp and filling yarns, whether plied or not, shall be counted as they occur in the fabric.

"(b) In determining the component fibers of chief value in coated or filled, or laminated, fabrics and articles wholly or in part thereof, the coating or filling, or the nontextile laminating substances, shall be disregarded in the absence of context to the contrary."

(c) WOVEN OR KNIT FABRICS COATED OR FILLED.—

(1) Schedule 3, part 4, subpart C, headnote 2 (p. 145) is amended by striking out "and" at the end of paragraph (a), by striking out the period at the end of paragraph (b) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(c) the provisions in this subpart for fabrics, coated or filled with rubber or plastics material, or laminated with sheet rubber or plastics (items 355.65–.85), cover products weighing not over 44 ounces per square yard without regard to the relative quantities of the textile fibers and the rubber or plastics material, but do not cover products weighing over 44 ounces per square yard unless they contain more than 50 percent by weight of textile fibers."

(2) The article description preceding item 355.65 (p. 146) is amended by striking out ", except foam or sponge sheet".

Repeals.

(3) Item 355.80 (p. 146) is repealed and there is inserted in lieu thereof the following:

"		Of man-made fibers:		
355.81		Over 70 percent by weight of rubber or plastics	12.5% ad val.	25% ad val.
355.82		Other	25¢ per lb. + 30% ad val.	45¢ per lb. + 65% ad val. "

(d) RAINWEAR AND SIMILAR GARMENTS.—Items 376.50, 376.54, and 376.58, and the article description preceding item 376.50 (p. 159) are repealed and there is inserted in lieu thereof the following:

"		Garments designed for rainwear, hunting, fishing, or similar uses, wholly or almost wholly of fabrics which are coated or filled, or laminated, with rubber or plastics, which (after applying headnote 5 of schedule 3) are regarded as textile materials:		
376.54		Of cotton	15% ad val.	37.5% ad val.
376.56		Other	30% ad val.	65% ad val. "

(e) CERTAIN UNSUPPORTED FILM.—The article description preceding item 771.40 (p. 393) is amended by striking out "and unsupported".

(f) CERTAIN INFLATABLE ARTICLES.—Item 772.75 (p. 394) is repealed, and schedule 7, part 13, subpart A is amended by inserting after item 790.37 (p. 397) the following new item:

"	790.39	Pneumatic mattresses and other inflatable articles not specially provided for	12.5% ad val.	25% ad val. "

SEC. 16. MEASURE OF CERTAIN YARNS; CERTAIN WOVEN FABRICS CONTAINING MAN-MADE FIBERS OR WOOL.

(a) MEASURE OF CERTAIN YARNS.—The article description for item 305.14 (p. 121) is amended to read as follows: "Measuring over 270 yards but not over 18,000 yards per pound".

(b) CERTAIN WOVEN FABRICS CONTAINING MAN-MADE FIBERS OR WOOL.—Schedule 3, part 3, subpart B is amended by inserting after item 335.50 (p. 138) the following new items: 19 USC 1202.

" 335.55	Containing over 17 percent of wool by weight	30¢ per lb. +45% ad val.	40¢ per lb. +55% ad val.
335.60	Fabrics, other than the foregoing, containing over 50 percent by weight of yarns which yarns are composed wholly or almost wholly of fibers not exceeding 5 inches in length and contain not less than 50 percent by weight of man-made fibers	25¢ per lb. +22.5% ad val.	45¢ per lb. +70% ad val. "

SEC. 17. ORNAMENTED FABRICS; FABRICS WITH TUCKS.

(a) ORNAMENTED FABRICS.—Item 353.50 (p. 144) is amended—

(1) by striking out "42.5% ad val." and inserting in lieu thereof "42.5% ad val., but in the case of ornamented fabrics not less than the rate which would apply to such fabrics if not ornamented"; and

(2) by striking out "90% ad val." and inserting in lieu thereof "90% ad val., but in the case of ornamented fabrics not less than the rate which would apply to such fabrics if not ornamented".

(b) TEXTILE FABRICS WITH TUCKS.—Item 357.60 (p. 147) is amended—

(1) by striking out "42.5% ad val." and inserting in lieu thereof "42.5% ad val., but not less than the rate which would apply to such fabrics without tucks"; and

(2) by striking out "90% ad val." and inserting in lieu thereof "90% ad val., but not less than the rate which would apply to such fabrics without tucks".

SEC. 18. USED BAGS AND SACKS SUITABLE FOR BALING COTTON.

Schedule 3, part 4, subpart C is amended by striking out item 356.50 (p. 146) and inserting in lieu thereof the following:

"	Woven fabrics of vegetable fibers, suitable for covering cotton bales:		
356.50	Recovered from used bags and sacks	Free	Free
356.51	Other fabrics, in the piece or in units, containing not over 16 yarns per square inch (counting the warp and filling) and weighing 15 or more ounces per square yard	0.3¢ per sq. yd.	0.6¢ per sq. yd. "

SEC. 19. BELTING AND BELTS FOR MACHINERY.

(a) IN GENERAL.—Items 358.05 and 358.10 (p. 147) and the article descriptions preceding such items are repealed and there is inserted in lieu thereof the following:

"	Belting and belts, for machinery, of textile fibers or of such fibers and rubber or plastics:		
358.02	V-belts	12% ad val.	30% ad val.
	Other:		
	Of vegetable fibers, or of such fibers and rubber or plastics:		
358.05	Not in part of rubber or plastics	12% ad val.	30% ad val.
358.06	In part of rubber or plastics	16% ad val.	30% ad val.
	Of wool:		
358.08	Woven	37.5¢ per lb.+ 15% ad val.	50¢ per lb.+ 60% ad val.
358.09	Other	32% ad val.	50% ad val.
358.11	Of silk	27.5% ad val.	65% ad val.
358.14	Of man-made fibers	25¢ per lb.+ 30% ad val.	45¢ per lb.+ 65% ad val.
358.16	Other	12.5% ad val.	25% ad val. "

(b) MACHINERY BELTS NOT CONTAINING TEXTILE FIBERS.—Item 773.35 (p. 395) is amended by striking out "vegetable fibers" and inserting in lieu thereof "textile fibers".

SEC. 20. SWISS-TYPE CURTAINS AND DRAPES.

19 USC 1202.

Schedule 3, part 5, subpart C is amended—

(1) by striking out items 365.55, 365.60, and 365.65 and the article descriptions preceding item 365.55 (p. 152), and

(2) by striking out item 365.78 and the article description preceding such item (p. 153) and inserting in lieu thereof the following:

"	Net furnishings made on a lace, net, or knitting machine, whether or not ornamented; and other furnishings, ornamented:		
	Of cotton:		
365.77	Curtains and drapes, including panels and valances, all the foregoing if machine-embroidered but not otherwise ornamented	30% ad val.	90% ad val.
365.78	Other	50% ad val.	90% ad val. "

SEC. 21. LABELS OF MAN-MADE FIBERS.

Item 385.61 (p. 163) is amended by striking out "30% ad val." and inserting in lieu thereof "19% ad val.".

SEC. 22. LACTIC ACID.

Item 425.82 (p. 186) is amended by striking out "12.5% ad val." and inserting in lieu thereof "16% ad val.", and by striking out "25% ad val." and inserting in lieu thereof "35% ad val.".

SEC. 23. ESTERS OF MONOHYDRIC ALCOHOLS.

The article description preceding item 428.50 (p. 188) is amended to read as follows: "Esters of monohydric alcohols and organic or inorganic acids (except hydrogen sulfide and hydrogen halide acids) :".

SEC. 24. CELLULOSE COMPOUNDS; SURFACE-ACTIVE AGENTS.

Repeal.

(a) CELLULOSE COMPOUNDS.—Item 429.80 (p. 189) is repealed.

(b) CARBOXYMETHYL CELLULOSE SALTS.—Schedule 4, part 8, subpart A is amended by inserting after item 465.85 (p. 204) the following new item:

" 465.87	Carboxymethyl cellulose salts	16¢ per lb.	45¢ per lb. "

(c) LIGNIN SULFONIC ACID AND ITS SALTS.—Schedule 4, part 8, subpart A is amended by inserting after item 465.90 (p. 204) the following new item:

" 465.92	Lignin sulfonic acid and its salts	10% ad val.	20% ad val. "

(d) CELLULOSE COMPOUNDS, NOT SPECIALLY PROVIDED FOR.—Schedule 4, part 13, subpart B is amended by inserting after item 493.16 (p. 221) the following new item:

" 493.18	Cellulose compounds, not specially provided for	16¢ per lb.	45¢ per lb. "

(e) SURFACE-ACTIVE AGENTS.—The headnote for part 8 of schedule 4 (p. 203) is amended by inserting after the first sentence a new sentence as follows: "This part also covers certain specified products which may or may not be surface-active agents."

SEC. 25. SYNTHETIC RESINS AND PLASTIC MATERIALS.

The headnotes for schedule 4, part 4, subpart A (p. 195) are amended—

(1) by striking out in headnote 1 "a plasticizer, filler, color, or extender" and inserting in lieu thereof "an antioxidant, color, dispersing agent, emulsifier, extender, filler, pesticide, plasticizer, or stabilizer"; and

(2) by striking out in headnote 2 "plasticizers, fillers, colors, or extenders" and inserting in lieu thereof "an antioxidant, color, dispersing agent, emulsifier, extender, filler, pesticide, plasticizer, or stabilizer".

SEC. 26. PIGMENTS.

Headnote 1 for schedule 4, part 9, subpart B (p. 208) is amended by striking out "chiefly used to impart color" and inserting in lieu thereof "commonly known as pigments and suitable for use in imparting color". 19 USC 1202.

SEC. 27. CONCRETE.

Schedule 5, part 1, subpart A, headnote 1 (p. 225) is amended by striking out paragraph (b) and inserting in lieu thereof the following:

"(b) the term 'concrete' means a composite of cementing materials of mineral origin with added mineral aggregate such as sand, crushed stone, or gravel; and".

SEC. 28. SYNTHETIC MINERS' DIAMONDS; POWDER OR DUST.

(a) IN GENERAL.—Schedule 5, part 1, subpart H is amended by striking out item 520.21 (p. 232) and inserting in lieu thereof the following:

"	Synthetic:		
520.19	Miners' diamonds	Free	Free
520.20	Powder or dust	Free	Free
520.21	Other	15% ad val.	30% ad val. "

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

SEC. 29. SUBPORCELAIN REFRACTORY ARTICLES.

Item 531.37 (p. 236) is amended by striking out "Porcelain refractory articles" and inserting in lieu thereof "Porcelain and subporcelain refractory articles".

SEC. 30. CERTAIN COLORED OR SPECIAL GLASS.

Items 542.75 and 542.77 (p. 246) and items 923.75 and 923.77 (p. 437) are each amended by striking out "90 united inches" and inserting in each place in lieu thereof "100 united inches".

SEC. 31. IRON ORE.

Headnote 2(a) for schedule 6, part 1 (p. 253) is amended by inserting "iron," after "sintered".

SEC. 32. CERTAIN SEMIMANUFACTURED PLATINUM.

Item 605.07 (p. 261) is amended by striking out "Bars, plates, and sheets, all the foregoing not under 0.125 inch in thickness," and inserting in lieu thereof "Products having no dimension under 0.125 inch,".

SEC. 33. ROUND WIRE.

Schedule 6, part 2 is amended by striking out items 609.40 and 609.42 and the article descriptions preceding item 609.40 (p. 271) and inserting in lieu thereof the following:

"	Round wire:		
	Other than alloy iron or steel:		
609.40	Under 0.060 inch in diameter	8.5% ad val.	25% ad val.
	0.060 inch or more in diameter:		
609.41	Containing not over 0.25 percent by weight of carbon	0.3¢ per lb.	1.25¢ per lb.
609.43	Containing over 0.25 percent by weight of carbon	8.5% ad val.	25% ad val. "

SEC. 34. TABLEWARE AND OTHER HOUSEHOLD UTENSILS.

The headnotes for schedule 6, part 3, subpart E (p. 299) are amended by striking out headnote 4 and by redesignating headnotes 5 and 6 as headnotes 4 and 5, respectively; and the headnotes for schedule 6, part 3 (p. 291) are amended by adding at the end thereof the following new headnote:

"2. The provisions in this part which specifically refer to kitchen or table ware, or to table, kitchen, or household utensils and articles,

include articles of types which are used outdoors as well as those which are used indoors."

SEC. 35. CERTAIN GALVANIZED WIRE.

19 USC 1202.

(a) FENCING.—Item 642.35 (p. 293) is amended by striking out "not under 0.08 inch in diameter" and inserting in lieu thereof "not under 0.075 inch in diameter".

(b) CERTAIN WOVEN WIRE.—The article description preceding item 642.45 (p. 293) is amended by striking out "under 0.08 inch" and inserting in lieu thereof "under 0.075 inch".

(c) MILLINERS' WIRE.—Item 642.96 (p. 294) is amended by striking out "not under 0.08 inch in diameter" and inserting in lieu thereof "not under 0.075 inch in diameter".

Repeals.

SEC. 36. AUTOMOBILE, ETC., PARTS.

(a) HINGES AND FITTINGS, ETC.—Item 647.00 (p. 298) is repealed and there is inserted in lieu thereof the following:

"		Of iron or steel, of aluminum, or of zinc:		
	647.01	Hinges, fittings, and mountings, designed for motor vehicles	8.5% ad val.	25% ad val.
	647.03	Other	19% ad val.	45% ad val. "

(b) HAIRSPRINGS.—Schedule 6, part 3, subpart F is amended by inserting after item 652.85 (p. 306) the following new item:

"	652.86	Hairsprings	10% ad val.	65% ad val. "

(c) PUMPS FOR LIQUIDS.—Item 660.90 (p. 310) is repealed and there is inserted in lieu thereof the following:

"		Pumps for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band, and similar types; all the foregoing whether operated by hand or by any kind of power unit, and parts thereof:		
	660.92	Fuel injection pumps for compression-ignition engines, and parts thereof	6% ad val.	35% ad val.
	660.94	Other	10% ad val.	35% ad val. "

(d) BALL BEARINGS WITH INTEGRAL SHAFTS.—Item 680.35 (p. 319) is repealed and there is inserted in lieu thereof the following:

"		Ball or roller bearings, including such bearings with integral shafts, and parts thereof:		
	680.34	Ball bearings with integral shafts	12% ad val.	35% ad val.
	680.35	Other	3.4¢ per lb. +15% ad val.	10¢ per lb. +45% ad val. "

(e) REPAIR KITS.—Schedule 6, part 4, subpart J is amended by inserting after item 680.57 (p. 319) the following:

"	680.59	Kits, each containing three or more replacement parts however provided for elsewhere in the schedules, put up and packaged for the repair of hydraulic-brake master or wheel cylinders or for the repair of internal-combustion engine pumps or carburetors	10% ad val.	35% ad val. "

(f) PARTS OF ELECTRICAL ARTICLES.—

(1) Subparagraph (vi) of headnote 1 (p. 321) for schedule 6, part 5, is amended to read as follows:

"(vi) electrical instruments and apparatus provided for in schedule 7.".

(2) The article description preceding item 682.70 (p. 321) is amended by inserting "; all the foregoing and parts thereof" after "electro-magnetic lifting heads".

(3) The article description for item 682.80 (p. 321) is amended by inserting "and parts thereof" after "holders".

(g) PERMANENT MAGNETS.—Item 682.70 (p. 321) is amended by striking out "18% ad val." and inserting in lieu thereof "16% ad val.".

(h) LIGHTING EQUIPMENT DESIGNED FOR MOTOR VEHICLES.—Schedule 6, part 5, is amended by inserting after item 683.60 (p. 322) the following new item: 19 USC 1202.

"	683.65	Electric lighting equipment designed for motor vehicles, and parts thereof	8.5% ad val.	25% ad val. "

(i) AUTOMATIC VOLTAGE-CURRENT REGULATORS.—Item 686.20 (p. 323) is repealed and there is inserted in lieu thereof the following: Repeal.

"		Automatic voltage and voltage-current regulators, with or without cut-out relays, and parts thereof:		
	686.22	Designed for use in a 6-volt, 12-volt, or 24-volt system	8.5% ad val.	25% ad val.
	686.24	Other	15% ad val.	35% ad val. "

(j) IGNITION WIRING SETS, ETC.—Schedule 6, part 5, is amended by inserting after item 688.10 (p. 324) the following:

"	688.12	Ignition wiring sets and wiring sets designed for use in motor vehicles and craft provided for in part 6 of schedule 6	10% ad val.	30% ad val. "

(k) SPEEDOMETERS AND TACHOMETERS.—

(1) The headnotes for schedule 7, part 2, subpart D (p. 344) are amended by striking out "711.99" in headnote 1 and inserting in lieu thereof "711.88", and by striking out "711.99, inclusive (except magnetic speedometers)," in headnote 2(a) and inserting in lieu thereof "711.88, inclusive,".

(2) Schedule 7, part 2, subpart D is amended by striking out items 711.90 to 711.98, inclusive, and the article descriptions for such items (p. 346) and inserting in lieu thereof the following:

"		Revolution counters, production counters, taximeters, odometers, pedometers, counters similar to the foregoing articles, speedometers and tachometers, all the foregoing not provided for in subpart C of this part; parts of the foregoing:		
	711.90	Taximeters and parts	42.5% ad val.	85% ad val.
	711.91	Bicycle speedometers and parts thereof	55% ad val.	110% ad val.
	711.98	Other	10% ad val.	35% ad val. "

(3) Item 712.25 (p. 346) and the article description preceding such item are each amended by striking out "Tachometers and anemometers" and inserting in lieu thereof "Anemometers".

(1) FURNITURE DESIGNED FOR MOTOR VEHICLE USE.—Schedule 7, part 4, subpart A is amended by inserting after item 727.04 (p. 364) the following:

"	727.06	Furniture designed for motor-vehicle use, and parts thereof	8.5% ad val.	25% ad val. "

SEC. 37. PICKS AND MATTOCKS.

Item 648.53 (p. 300) is amended by striking out "19% ad val." and inserting in lieu thereof "7.5% ad val.".

SEC. 38. FILES AND RASPS.

Items 649.05 and 649.07 (p. 300) are each amended by striking out "7 inches" and inserting in lieu thereof "6.75 inches".

SEC. 39. PENCIL SHARPENERS AND LEAD AND CRAYON POINTERS.

Schedule 6, part 3, subpart E, is amended by inserting after item 651.31 (p. 304) the following:

"	651.33	Pencil sharpeners and lead and crayon pointers, and parts thereof	17% ad val.	40% ad val. "

SEC. 40. TREATMENT OF CERTAIN SETS.

19 USC 1202.

(a) CERTAIN CAMPING AND PICNIC SETS.—Schedule 6, part 3, subpart E is amended by inserting after item 651.13 (p. 304) the following new item:

" 651.15	Camping and picnic sets each comprised of a knife, fork, and spoon, wholly of metal, and with each of the three pieces specially designed so as to permit their being compactly joined and held together when not in use	25% ad val.	60% ad val. "

(b) DISSECTING TOOLS FITTED INTO CASES CONTAINING MICROSCOPES.—The headnotes for schedule 7, part 2, subpart A are amended by adding at the end thereof (p. 340) the following new headnote:

"4. Sets comprised of tools, implements, and other articles fitted into and imported with cases containing microscopes provided for in item 708.71, and ordinarily sold at retail, and used, in conjunction with such microscopes, are classifiable therewith."

77A Stat. 341.

(c) CONFORMING AMENDMENT.—The article description for item 651.75 (p. 304) is amended by striking out "(except sewing sets, pedicure or manicure sets, and combinations thereof)" and inserting in lieu thereof "(except sets specially provided for)".

SEC. 41. HAND TOOLS.

The article description preceding item 651.39 (p. 304) is amended by inserting ", and parts thereof" after "Other hand tools".

SEC. 42. CHAIN AND CHAINS, AND PARTS THEREOF.

Schedule 6, part 3, subpart F (p. 305) is amended—

(1) by striking out "Chains used for the transmission of power" in the article descriptions preceding item 652.12 and inserting in lieu thereof "Chain or chains used for the transmission of power",

(2) by inserting "or chains" after "chain" in the article description for item 652.21, and

(3) by striking out the article description preceding item 652.24 and inserting in lieu thereof "Chain or chains (except the foregoing) the links of which are of stock essentially round in cross section, and parts thereof:", and by inserting after item 652.33 the following new item:

" 652.35	Other, including parts	19% ad val.	45% ad val. "

SEC. 43. HORSE SHOES.

Schedule 6, part 3, subpart F is amended by striking out item 652.40 (p. 305) and inserting in lieu thereof the following:

"	Horse and mule shoes of base metal:		
652.41	Of iron or steel	0.25¢ per lb	0.25¢ per lb.
652.42	Other	19% ad val.	45% ad val. "

SEC. 44. MISCELLANEOUS METAL PRODUCTS.

The article description preceding item 653.85 (p. 307) is amended by striking out "Not enameled:" and inserting in lieu thereof "Not enameled or glazed with vitreous glasses:", and item 653.97 is amended by striking out "Enameled" and inserting in lieu thereof "Enameled or glazed with vitreous glasses".

SEC. 45. SHOE MACHINERY.

(a) KNIVES AND CUTTING BLADES FOR SHOE MACHINERY.—The article description for item 649.65 (p. 301) is amended by inserting "and for shoe machinery" after "blades)".

(b) SHOE MACHINERY FOR CERTAIN TREATMENT OF MATERIALS.—The article description preceding item 661.65 (p. 311) is amended by inserting "shoe machinery," after "sugar machinery,".

(c) PARTS OF SHOE SEWING MACHINES.—The article description for item 672.05 (p. 315) is amended by inserting ", and parts thereof (except needles)" after "uppers".

(d) SHOE MACHINERY MOLDS.—Schedule 6, part 4, subpart J is amended by striking out item 680.10 (p. 318) and inserting in lieu thereof the following: 19 USC 1202.

"		Molds used for rubber or plastics materials:		
	680.11	Shoe machinery molds	Free	Free
	680.12	Other	11.5% ad val.	35% ad val. "

(e) PARTS OF COPYING LATHES.—The article description for item 911.70 (p. 434) is amended by inserting ", and parts thereof provided for in items 674.50, 674.51, and 674.53" after "schedule 6)".

SEC. 46. MACHINE CLOTHING.

Headnote 1(iii) for schedule 6, part 4 (p. 309) is amended by inserting after "machine clothing" the following: ", other than card clothing provided for in items 670.52 and 670.54".

SEC. 47. BLOWERS FOR PIPE ORGANS.

Schedule 6, part 4, subpart A is amended by striking out item 661.10 (p. 310) and inserting in lieu thereof the following:

"		Fans and blowers, and parts thereof:		
	661.09	Blowers for pipe organs	10% ad val.	35% ad val.
	661.10	Other	14% ad val.	35% ad val. "

SEC. 48. ROUGH IRON CASTINGS.

(a) PARTS OF FILTERING AND PURIFYING MACHINERY.—Schedule 6, part 4, subpart A is amended by striking out item 661.95 (p. 311) and inserting in lieu thereof the following:

"		Other:		
	661.92	Cast-iron (except malleable cast-iron) parts, not alloyed and not advanced beyond cleaning, and machined only for the removal of fins, gates, sprues, and risers or to permit location in finishing machinery	3% ad val.	10% ad val.
	661.95	Other	11.5% ad val.	35% ad val. "

(b) ROLLERS FOR MACHINES.—Schedule 6, part 4, subpart J is amended by inserting after item 680.57 (p. 319) the following new item:

"	680.58	Cast-iron (except malleable cast-iron) rollers for machines, not alloyed and not advanced beyond cleaning, and machined only for the removal of fins, gates, sprues, and risers or to permit location in finishing machinery	3% ad val.	10% ad val. "

SEC. 49. AGRICULTURAL AND HORTICULTURAL MACHINERY AND IMPLEMENTS, AND PARTS THEREOF.

(a) AMENDMENT OF HEADNOTE.—Schedule 6, part 4, subpart C, headnote 1 (p. 313) is amended by striking out "part 5," and inserting in lieu thereof "part 5 (except item 688.40),".

(b) MILKING MACHINES, ETC.—The article description for item 666.00 (p. 313) is amended by inserting after "farm wagons and carts," the following: "milking machines, on-farm equipment for the handling or drying of agricultural or horticultural products,".

(c) INTERNAL COMBUSTION ENGINES.—The article description for item 660.40 (p. 310) is amended by inserting after "item 692.30" the following: "or in agricultural or horticultural machinery or implements provided for in item 666.00".

(d) SPEED CHANGERS, ETC.—The article description following item 680.40 (p. 319) is amended by striking out "all the foregoing and parts thereof (except parts of motor vehicles, aircraft, and bicycles)" and inserting in lieu thereof "all the foregoing (except parts of agricul-

tural or horticultural machinery and implements provided for in item 666.00 and parts of motor vehicles, aircraft, and bicycles) and parts thereof".

19 USC 1202.

(e) TIRES.—Schedule 7, part 12, subpart C is amended by inserting after item 772.48 (p. 394) the following new item:

"	772.50	Designed for tractors provided for in item 692.30 or for agricultural or horticultural machinery or implements provided for in item 666.00	Free	Free "

(f) TUBES.—Schedule 7, part 12, subpart C is amended by inserting after item 772.57 (p. 394) the following new item:

"	772.59	Designed for tires provided for in item 772.50	Free	Free "

SEC. 50. JACQUARD CARDS; PARTS OF TAPS, VALVES, ETC.

(a) JACQUARD CARDS.—Schedule 6, part 4, headnote 1 (p. 309) is amended by striking out "(iv) jacquard cards;" and by redesignating subparagraphs (v) and (vi) as subparagraphs (iv) and (v), respectively.

(b) PARTS OF TAPS, VALVES, ETC.—The article description preceding item 680.20 (p. 319) is amended by striking out "check:" and inserting in lieu thereof "check, and parts thereof:".

SEC. 51. CERTAIN SPEED CHANGERS.

Item 680.45 (p. 319) is amended by inserting "multiple and variable ratio speed changers each ratio of which is selected by manual manipulation," after "Fixed ratio speed changers,".

SEC. 52. SYNCHRONOUS MOTORS; COMMUTATORS.

(a) SYNCHRONOUS MOTORS.—The article description for item 682.20 (p. 321) is amended by inserting ", valued not over $4 each" after "Synchronous".

(b) COMMUTATORS.—Schedule 6, part 5 is amended by inserting after item 682.50 (p. 321) the following:

"	682.52	Commutators	10% ad val.	35% ad val. "

SEC. 53. DICTATION RECORDING AND TRANSCRIBING MACHINES.

(a) MACHINES USING NONMAGNETIZABLE RECORDING MEDIUM.—Schedule 6, part 5 is amended by striking out items 685.40 and 685.42 (p. 323) and the article description preceding such items and inserting in lieu thereof the following:

"	685.40	Tape recorders and dictation recording and transcribing machines, and parts thereof	11.5% ad val.	35% ad val. "

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

SEC. 54. TELEVISION PICTURE TUBES.

(a) IN GENERAL.—Items 687.50 and 687.60 (p. 324) and the article description preceding such items are amended to read as follows:

"		Electronic tubes (except X-ray tubes); photocells; transistors and other related electronic crystal components; mounted piezoelectric crystals; all the foregoing and parts thereof:		
	687.50	Television picture tubes	30% ad val.	60% ad val.
	687.60	Other	12.5% ad val.	35% ad val. "

(b) TEMPORARY RATE FOR COLOR TELEVISON PICTURE TUBES.—Part 1, subpart B of the appendix is amended by inserting after item 911.70 (p. 434) the following new item:

"	911.90	Color television picture tubes (provided for in item 687.50)	12% ad val.	60% ad val.	On or before 8/31/69 "

SEC. 55. INSULATED CONDUCTORS WITHOUT FITTINGS.

Repeal. 19 USC 1202.

Item 688.05 (p. 324) is repealed and there is inserted in lieu thereof the following:

"	Without fittings:		
688.04	Containing (exclusive of insulation and sheathing) over 10 percent by weight of the metal copper	17% ad val.	40% ad val.
688.06	Other	15% ad val.	35% ad val. "

SEC. 56. BRAKE REGULATORS.

Item 690.35 (p. 325) is amended by inserting ", except brake regulators" after "provided for in item 690.15".

SEC. 57. FOOTWEAR OF RUBBER OR PLASTICS.

(a) AMERICAN SELLING PRICE.—Headnote 3(b) for schedule 7, part 1, subpart A (p. 332) is amended by striking out "in item 700.50, if the rubber portion thereof is wholly, or over 50 percent by weight, of natural rubber, and".

(b) PROTECTIVE FOOTWEAR.—Schedule 7, part 1, subpart A is amended by striking out item 700.50 (p. 332) and inserting in lieu thereof the following:

"	Hunting boots, galoshes, rainwear, and other footwear designed to be worn over, or in lieu of, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather, all the foregoing having soles and uppers of which over 90 percent of the exterior surface area is rubber or plastics (except footwear with uppers of nonmolded construction formed by sewing the parts thereof together and having exposed on the outer surface a substantial portion of functional stitching):		
700.51	Having soles and uppers of which over 90 percent of the exterior surface area is polyvinyl chloride, whether or not supported or lined with polyvinyl chloride but not otherwise supported or lined	12.5% ad val.	25% ad val.
700.52	Footwear (except footwear provided for in item 700.51), the uppers of which do not extend above the ankle, designed for use without closures, whether or not supported or lined	25% ad val.	50% ad val.
700.53	Other	37.5% ad val.	75% ad val. "

SEC. 58. HEADWEAR OF PANDAN.

Item 702.35 (p. 333) is amended by inserting "or of pandan," after "Of palm leaf".

SEC. 59. HEADWEAR OF FUR NOT ON THE SKIN.

The article description preceding item 703.20 (p. 334) is amended by striking out "of fur felt" and inserting in lieu thereof "of fur not on the skin".

SEC. 60. ANESTHETIC APPARATUS; STETHOSCOPES.

(a) ANESTHETIC APPARATUS.—Schedule 7, part 2, subpart B is amended by inserting between item 709.07 and the article description preceding it (p. 342) the following new item:

" 709.06	Anesthetic apparatus and instruments (except syringes), and parts thereof	19% ad val.	45% ad val. "

(b) STETHOSCOPES.—Item 709.10 (p. 342) is amended by inserting "and stethoscopes" after "Percussion hammers".

SEC. 61. SURVEYING COMPASSES AND PARTS THEREOF.

Item 710.12 (p. 343) is amended by striking out "11.5 % ad val." and inserting in lieu thereof "28% ad val.".

SEC. 62. COMPARATORS.

Item 710.88 (p. 344) is amended by striking out "Comparators, comparator benches" and inserting in lieu thereof "Comparator benches".

SEC. 63. COMBINATION ARTICLES CONTAINING WATCH OR CLOCK MOVEMENTS.

19 USC 1202.

(a) IN GENERAL.—Schedule 7, part 2, subpart E is amended by inserting after headnote 4 (p. 349) the following new headnote:

"5. COMBINATION ARTICLES CONTAINING WATCH OR CLOCK MOVEMENTS.—A watch or clock movement (and its dial, if any) in a combination article is classifiable under the provision applicable to such combination article, but, in determining the duties on the combination article, the movement (and its dial, if any) shall be constructively separated therefrom and assessed with the same rate as would have applied if it had been imported separately. In such circumstances, the movement and its dial shall also be subject to the same marking requirements provided for in headnote 4 of this subpart. However, such separate assessment and special marking shall not be applicable to movements which, when imported, are installed as the usual equipment of vehicles or craft provided for in part 6 of schedule 6 or as integral and essential parts of laboratory, industrial, or commercial apparatus or equipment."

Repeal.

(b) CONFORMING AMENDMENT.—Items 711.65 and 711.70 and the article description preceding such items (p. 345) are repealed and there is inserted in lieu thereof the following new item:

711.67	Other	14% ad val.	50% ad val.

SEC. 64. EDITORS, AND COMBINATION EDITOR-SPLICERS, FOR MOTION-PICTURE FILMS.

Item 722.52 (p. 356) is amended—

(1) by striking out "11.5% ad val." and inserting in lieu thereof "35% ad val.", and

(2) by striking out "35% ad val." and inserting in lieu thereof "45% ad val.".

SEC. 65. HALF-TONE SCREENS MADE PHOTOGRAPHICALLY ON PLASTICS MATERIALS.

Schedule 7, part 2, subpart F is amended by striking out item 722.84 (p. 357) and inserting in lieu thereof the following:

	Half-tone screens designed for use in engraving or photographic processes:		
722.83	Made photographically on plastics material	8.5% ad val.	25% ad val.
722.85	Other	27.5% ad val.	55% ad val.

SEC. 66. HEAT-SENSITIVE PAPERS.

Item 723.35 (p. 357) is amended by striking out "15% ad val." and inserting in lieu thereof "7.5% ad val.".

SEC. 67. RECORDINGS ON MAGNETIC TAPE, ETC.

Item 724.40 (p. 358) is amended—

(1) by striking out "0.25¢ per sq. in." and inserting in lieu thereof "2¢ per sq. ft.", and

(2) by striking out "1¢ per sq. in." and inserting in lieu thereof "8¢ per sq. ft.".

SEC. 68. ELECTRONIC MUSICAL INSTRUMENTS.

Schedule 7, part 3, subpart A is amended by striking out item 725.45 (p. 360) and inserting in lieu thereof the following:

	Electronic musical instruments:		
725.46	Fretted stringed instruments	34% ad val.	40% ad val.
725.47	Other	17% ad val.	40% ad val.

SEC. 69. PLAYING CARDS.

Item 734.25 (p. 371) is amended by striking out "5% ad val." and inserting in lieu thereof "4% ad val.". 19 USC 1202.

SEC. 70. PRECISION MODELS.

The article description for item 737.07 (p. 373) is amended by striking out "and cable-car systems;" and inserting in lieu thereof "cable-car systems; highway vehicles; ships and harbor structures; and airplanes and spacecraft;".

SEC. 71. COSTUME JEWELRY; JEWELRY MATERIALS.

(a) COSTUME JEWELRY.—Schedule 7, part 6, subpart A is amended by striking out items 740.35 and 740.37 (p. 376) and inserting in lieu thereof the following:

"	Valued over 20 cents per dozen pieces or parts:		
740.35	Watch bracelets valued over $5 per dozen....	35% ad val.	110% ad val.
740.37	Other.....	55% ad val.	110% ad val. "

(b) JEWELRY MATERIALS.—The article description preceding item 740.70 (p. 376) is amended by striking out "not over 0.5 inch in any cross-sectional dimension,".

SEC. 72. BUTTON BLANKS.

Headnote 2 for schedule 7, part 7, subpart A (p. 379) is amended to read as follows:

"2. For the purposes of this subpart—

"(a) the term 'line' in the rates of duty columns (items 745.20, 745.22, and 745.32) means the line button measure of one-fortieth of one inch; and 77A Stat. 379.

"(b) the term 'button blanks' (item 745.40) is limited to raw or crude blanks suitable for manufacture into buttons."

SEC. 73. BUCKLES AND BUCKLE SLIDES.

Schedule 7, part 7, subpart A is amended by striking out items 745.45 and 745.47 and the article description preceding item 745.45 (p. 380) and inserting in lieu thereof the following:

" 745.45	Buckles and buckle slides, and parts thereof.....	19% ad val.	45% ad val. "

SEC. 74. CLASPS, CERTAIN FRAMES INCORPORATING CLASPS, SNAP FASTENERS, AND PARTS.

Schedule 7, part 7, subpart A is amended by striking out the article descriptions preceding item 745.63 and by striking out items 745.63, 745.65, and 745.67 (p. 380) and inserting in lieu thereof the following:

"	Clasps, handbag and similar frames incorporating clasps, and snap fasteners; all the foregoing and parts thereof:		
	Valued not over 20 cents per dozen pieces or parts:		
745.63	Sew-on fasteners, and parts thereof.....	55% ad val.	60% ad val.
745.65	Other.....	27.5% ad val.	60% ad val.
	Valued over 20 cents per dozen pieces or parts:		
	For jewelry and other objects of personal adornment:		
745.66	Of precious metal except silver (including rolled precious metal except silver).	24% ad val.	80% ad val.
745.67	Other.....	55% ad val.	110% ad val.
745.68	Other.....	17.5% ad val.	65% ad val. "

SEC. 75. SLIDE FASTENER PARTS.

The article description preceding item 745.70 (p. 380) is amended by striking out "Slide fasteners, and parts thereof:" and inserting in lieu thereof "Slide fasteners, and parts thereof including tapes in continuous lengths but not including tapes wholly of textile fibers:".

19 USC 1202.

SEC. 76. DRIED WREATHS, ETC.

Schedule 7, part 7, subpart B is amended by striking out item 748.35 (p. 381) and inserting in lieu thereof the following:

"	Bouquets, boutonnieres, corsages, wreaths, and similar ornamental articles, all the foregoing made of articles described in item 748.30 or item 748.32:		
748.34	Wholly or almost wholly of articles described in item 748.30	10% ad val.	20% ad val.
748.36	Other	25.5% ad val.	75% ad val. "

SEC. 77. ELECTRIC TOOTHBRUSHES.

Subparagraph (i) of headnote 1 for schedule 7, part 8, subpart A (p. 383) is amended to read as follows:

"(i) mechanical combs, brooms, or brushes (other than combs or brushes which are toilet articles), or combs, brooms, or brushes which are parts of articles (other than toilet articles);".

SEC. 78. BROOMS MADE OF BROOM CORN.

(a) IN GENERAL.—Schedule 7, part 8, subpart A is amended by striking out items 750.30 and 750.31 (p. 383) and inserting in lieu thereof the following:

"	Brooms and brushes consisting of vegetable materials bound together but not mounted or set in a block or head, with or without handles:		
	Brooms wholly or in part of broom corn:		
	Whiskbrooms:		
	Valued not over 32¢ each:		
750.26	In any calendar year prior to the entry, or withdrawal from warehouse, for consumption of 115,000 dozen (or such modified quantity as may become applicable under headnote 3(a) to this subpart) whiskbrooms classifiable under items 750.26 to 750.28, inclusive	20% ad val.	20% ad val.
750.27	Other	12¢ each	12¢ each
750.28	Valued over 32¢ each	32% ad val.	32% ad val.
	Other brooms:		
	Valued not over 96¢ each:		
750.29	In any calendar year prior to the entry, or withdrawal from warehouse, for consumption of 205,000 dozen (or such modified quantity as may become applicable under headnote 3 (a) to this subpart) brooms classifiable under items 750.29 to 750.31, inclusive	20% ad val.	20% ad val.
750.30	Other	32¢ each	32¢ each.
750.31	Valued over 96¢ each	32% ad val.	32% ad val.
750.32	Other	25% ad val.	25% ad val.
750.33	If product of Cuba	20% ad val. (s).	"

(b) APPLICATION.—The headnotes for schedule 7, part 8, subpart A (p. 383) are amended by adding at the end thereof the following headnote:

"3. (a) If the President determines that the estimated annual domestic consumption of whiskbrooms of a kind described in items 750.26 to 750.28, inclusive, or of other brooms of a kind described in items 750.29 to 750.31, inclusive, has substantially changed since 1965 or since the date of the immediately preceding proclamation under this paragraph (if any), the quantity provided for in item 750.26 or 750.29, as the case may be, shall be modified by the percentage by which the President determines the estimated annual domestic consumption of the relevant brooms has changed in comparison with

such estimated consumption in 1965 or at the time of such immediately preceding proclamation (if any). Such modified quantity shall be proclaimed by the President and shall, subject to the provisions of this paragraph, replace the quantity previously applicable under item 750.26 or 750.29.

"(b) If the President determines an allocation among supplying countries of the quantity provided for in item 750.26 or 750.29 to be in the national interest, he may proclaim such allocation."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after January 1, 1966.

SEC. 79. FIREWORKS.

Item 755.15 (p. 385) is amended by striking out "32% ad val." in column 1 and "42% ad val." in column 2 and by inserting in lieu thereof in each column "12¢ per lb., including the weight of all coverings, packing material, and wrappings". 19 USC 1202.

SEC. 80. RUBBER AND PLASTIC FILM, STRIPS, SHEETS, AND PLATES.

The headnotes for schedule 7, part 12, subpart B (p. 392) are amended—

(1) by striking out "21 inches" in headnotes 1(b) and 2(iv)(B) and inserting in lieu thereof "15 inches", and

(2) by striking out "51 inches" in headnotes 1(b) and 2(iv)(C) and inserting in lieu thereof "18 inches".

SEC. 81. COLOSTOMY BAGS.

Item 772.42 (p. 394) is amended by inserting "colostomy bags," after "enema bags,".

SEC. 82. FLY RIBBONS.

Schedule 7, part 13, subpart A is amended by inserting after item 790.10 (p. 397) the following new item:

"790.15	Fly ribbons (ribbon fly catchers)	14% ad val.	35% ad val. "

SEC. 83. SAUSAGE CASINGS.

Schedule 7, part 13, subpart A is amended by striking out item 790.45 (p. 397) and inserting in lieu thereof the following:

"	Sausage casings not specially provided for, whether or not cut to length:		
790.45	Of cellulosic plastics materials	25.5% ad val.	60% ad val.
790.47	Other	12.5% ad val.	40% ad val. "

SEC. 84. ARTICLES OF HAIR NOT SPECIALLY PROVIDED FOR.

Schedule 7, part 13, subpart C is amended by adding after item 792.70 (p. 399) the following new item:

"792.75	Of hair	14% ad val.	35% ad val. "

SEC. 85. ARTICLES ASSEMBLED ABROAD.

The article description for item 807.00 (p. 408) is amended to read as follows: "Articles assembled abroad in whole or in part of fabricated components, the product of the United States, which (a) were exported, in condition ready for assembly without further fabrication, for the purpose of such assembly and return to the United States, (b) have not lost their physical identity in such articles by change in form, shape, or otherwise, and (c) have not been advanced in value or improved in condition abroad except by being assembled and except by operations incidental to the assembly process such as cleaning, lubricating, and painting."

SEC. 86. COCONUT, PALM-KERNEL, AND PALM OILS, SULFONATED OR SULFATED.

19 USC 1202.

Item 907.77 (p. 433) is amended by striking out "17.5% ad val." and inserting in lieu thereof "14% ad val.".

SEC. 87. ELECTRODES FOR USE IN PRODUCING ALUMINUM.

(a) TEMPORARY FREE ENTRY.—Part 1, subpart B of the appendix is amended by inserting after item 909.20 (p. 433) the following new item:

" 909.25	Electrodes (provided for in item 517.61, part 1E, schedule 5) when imported for use in producing aluminum	Free	Free	On or before 7/15/66 "

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

SEC. 88. IMPORT RESTRICTIONS PROCLAIMED PURSUANT TO SECTION 22 OF AGRICULTURAL ADJUSTMENT ACT.

64 Stat. 261.
7 USC 624.

Headnote 2 (p. 441) for part 3 of the appendix to the Tariff Schedules is amended—

(1) by striking out "or for the personal use of the importer;" at the end of paragraph (b) and inserting in lieu thereof "for the personal use of the importer, or for research;", and

(2) by striking out "articles not exceeding 100 pounds in aggregate weight in any shipment, if entered for exhibition, display, or sampling at a Trade Fair, or for research, and if" at the beginning of paragraph (c) and inserting in lieu thereof "articles entered for exhibition, display, or sampling at a Trade Fair or for research, but only if".

SEC. 89. PAST IMPORTATIONS OF CERTAIN ARTICLES.

(a) IGNITION MAGNETO MAGNETS.—In the case of an article provided for in item 682.70 of the Tariff Schedules of the United States, if—

77A Stat. 321.

(1) such article is an ignition magneto magnet, and

(2) such article was entered, or withdrawn from warehouse, for consumption after August 30, 1963, and on or before the 60th day after the date of the enactment of this Act,

such article shall be treated as if it were provided for in item 683.60 of such schedules.

(b) CERTAIN LUGGAGE AND HANDBAGS.—In the case of an article (other than flat goods) provided for in item 706.24 of the Tariff Schedules of the United States, if—

77A Stat. 338.

(1) the textile materials of chief value in such article are fabrics coated or filled, or laminated, with rubber or plastics,

(2) such article was imported before September 1, 1964, and

(3) such article was entered, or withdrawn from warehouse, for consumption after August 30, 1963, and on or before the 60th day after the date of the enactment of this Act,

such article shall be treated as if it were provided for in item 706.60 of such schedules.

(c) ENTRIES PRIOR TO ENACTMENT.—This section shall apply in the case of any article entered, or withdrawn from warehouse, for consumption on or before the date of the enactment of this Act only upon request filed with the collector of customs concerned on or before the 120th day after the date of the enactment of this Act, and upon such request the entry or withdrawal of such article 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 this section.

46 Stat. 734.
19 USC 1514.

Approved October 7, 1965.

Public Law 89-242

AN ACT

October 7, 1965
[S. 1620]

To consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 121 of title 28 of the United States Code is amended to read as follows:

Judicial districts, S.C. Consolidation.
62 Stat. 889.

"§ 121. South Carolina

"South Carolina constitutes one judicial district comprising ten divisions.

"(1) The Charleston Division comprises the counties of Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Georgetown, and Jasper.

"Court for the Charleston Division shall be held at Charleston.

"(2) The Columbia Division comprises the counties of Kershaw, Lee, Lexington, Richland, and Sumter.

"Court for the Columbia Division shall be held at Columbia.

"(3) The Florence Division comprises the counties of Chesterfield, Darlington, Dillon, Florence, Horry, Marion, Marlboro, and Williamsburg.

"Court for the Florence Division shall be held at Florence.

"(4) The Aiken Division comprises the counties of Aiken, Allendale, Barnwell, and Hampton.

"Court for the Aiken Division shall be held at Aiken.

"(5) The Orangeburg Division comprises the counties of Bamberg, Calhoun, and Orangeburg.

"Court for the Orangeburg Division shall be held at Orangeburg.

"(6) The Greenville Division comprises the counties of Greenville and Laurens.

"Court for the Greenville Division shall be held at Greenville.

"(7) The Rock Hill Division comprises the counties of Chester, Fairfield, Lancaster, and York.

"Court for the Rock Hill Division shall be held at Rock Hill.

"(8) The Greenwood Division comprises the counties of Abbeville, Edgefield, Greenwood, McCormick, Newberry, and Saluda.

"Court for the Greenwood Division shall be held at Greenwood.

"(9) The Anderson Division comprises the counties of Anderson, Oconee, and Pickens.

"Court for the Anderson Division shall be held at Anderson.

"(10) The Spartanburg Division comprises the counties of Cherokee, Spartanburg, and Union.

"Court for the Spartanburg Division shall be held at Spartanburg."

(b) The existing district judgeships for the Eastern District of South Carolina, the Western District of South Carolina, and the Eastern and Western Districts of South Carolina heretofore provided for by section 133 of title 28 of the United States Code shall hereafter be district judgeships for the District of South Carolina and the present incumbents of such judgeships shall henceforth hold their offices under section 133, as amended by this Act.

75 Stat. 81.

(c) In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this section in the

number of districts in the State of South Carolina, such table is amended by striking out the following:

"South Carolina:

Eastern	1
Western	1
Eastern and Western	2"

and inserting in lieu thereof the following:

"South Carolina ..... 4".

Consolidation of districts.
62 Stat. 895.

SEC. 2. In compliance with section 132 of title 28 of the United States Code the District Courts for the Eastern and Western Districts of South Carolina are hereby consolidated into, and shall henceforth constitute, a single District Court for the District of South Carolina. No loss or interruption of the jurisdiction of the consolidated District Court for the District of South Carolina over cases and controversies heretofore decided by or now pending in the District Courts for the Eastern and Western Districts of South Carolina shall result from such consolidation and prosecutions for offenses committed within the Eastern and Western Districts of South Carolina prior to the effective date of this Act shall be commenced and proceeded with the same as if such consolidation had not occurred. For the purpose of the trial of such offenses, the District Courts for the Eastern and Western Districts of South Carolina are continued in existence and the judges of the District Court for the District of South Carolina shall sit as judges in such courts according to assignment made by the chief judge of the United States District Court for the District of South Carolina or the chief judge of the United States Court of Appeals for the Fourth Circuit. The District Court for the District of South Carolina shall appoint a clerk who shall supersede the clerks of the District Courts for the Eastern and Western Districts of South Carolina and who shall maintain his office at Columbia until the court otherwise directs pursuant to sections 457 and 751(c) of title 28 of the United States Code. The presently existing records of the District Courts for the Eastern and Western Districts of South Carolina shall be placed in his custody.

Appointment of U.S. attorneys.

SEC. 3. When the term of office of either the United States attorney for the Eastern District of South Carolina or the United States attorney for the Western District of South Carolina, holding office on the date of enactment of this Act, has expired, the President is authorized to appoint a United States attorney for the District of South Carolina as provided by section 501 of title 28 of the United States Code. Until the United States attorney for the District of South Carolina has been appointed as herein authorized and has qualified, the United States attorney for the Eastern District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States attorney and to perform the duties of such office in the Charleston, Columbia, Orangeburg, Florence, and Aiken divisions of the District of South Carolina, and the United States attorney for the Western District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States attorney and to perform the duties of such office in the Greenville, Rock Hill, Greenwood, Spartanburg, and Anderson divisions of the District of South Carolina. In the event a vacancy, other than a vacancy resulting from expiration of term, arises in either of such offices prior to the appointment as herein authorized and qualification, of a United States attorney for the District of South Carolina the incumbent of the other such office shall also perform the duties of the office in which the vacancy occurs until such appointment and qualification.

SEC. 4. When the term of office of either the United States marshal for the Eastern District of South Carolina or the United States marshal for the Western District of South Carolina, holding office on the date of enactment of this Act, has expired, the President is authorized to appoint a United States marshal for the District of South Carolina as provided by section 541(a) of title 28 of the United States Code. Until the United States marshal for the District of South Carolina has been appointed as herein authorized and has qualified, the United States marshal for the Eastern District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States marshal and to perform the duties of such office in the Charleston, Columbia, Orangeburg, Florence, and Aiken divisions of the District of South Carolina, and the United States marshal for the Western District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States marshal and to perform the duties of such office in the Greenville, Rock Hill, Greenwood, Spartanburg, and Anderson divisions of the District of South Carolina. In the event a vacancy, other than a vacancy resulting from expiration of term, arises in either of such offices prior to the appointment as herein authorized and qualification of a United States marshal for the District of South Carolina the incumbent of the other such office shall also perform the duties of the office in which the vacancy occurs until such appointment and qualification.

Appointment of U.S. marshal.

62 Stat. 910.

SEC. 5. All deputy clerks, clerical assistants, and other employees of the clerks, all court reporters, all probation officers and their clerical assistants, all referees in bankruptcy and their clerical assistants, all United States commissioners and all other presently serving officers and employees of the United States District Courts for the Eastern and Western Districts of South Carolina shall henceforth be officers or employees, as the case may be, of the United States District Court for the District of South Carolina and shall hold their offices or employment under and perform their duties for that court. All presently serving assistant United States attorneys and clerical assistants of the United States attorneys and all presently serving deputy marshals and clerical assistants of the United States marshals appointed for the Eastern or Western District of South Carolina shall henceforth hold their offices or employment for the District of South Carolina.

Court employees.

SEC. 6. The provisions of this Act shall become effective on the first day of the month following the date of enactment of this Act.

Effective date.

Approved October 7, 1965.

49-850 O-66—63

Public Law 89-243

October 9, 1965
[H. R. 4750]

AN ACT

To provide an extension of the interest equalization tax, and for other purposes.

Interest Equalization Tax Extension Act of 1965.

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 "Interest Equalization Tax Extension Act of 1965".

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

SEC. 2. EXTENSION OF INTEREST EQUALIZATION TAX.

78 Stat. 810.
26 USC 4911.

Section 4911(d) is amended by striking out "December 31, 1965" and inserting in lieu thereof "July 31, 1967".

SEC. 3. IMPOSITION OF TAX WITH RESPECT TO DEBT OBLIGATIONS HAVING MATURITY OF 1 TO 3 YEARS.

(a) IMPOSITION OF TAX.—The following provisions are amended by striking out "3 years" each place it appears and inserting in lieu thereof "1 year"—

(1) section 4911(a);

26 USC 4914.

(2) section 4914(e)(3)(D);

(3) section 4914(e)(3)(E)(ii); and

26 USC 4920.

(4) section 4920(a)(7)(B)(iv).

(b) AMOUNT OF TAX.—Section 4911(b)(2) is amended by striking from the table the line reading

"At least 3 years, but less than 3½ years ..... 2.75 percent"

and inserting in lieu thereof the following:

"At least 1 year, but less than 1¼ years	1.05 percent
At least 1¼ years, but less than 1½ years	1.30 percent
At least 1½ years, but less than 1¾ years	1.50 percent
At least 1¾ years, but less than 2¼ years	1.85 percent
At least 2¼ years, but less than 2¾ years	2.30 percent
At least 2¾ years, but less than 3½ years	2.75 percent".

(c) EFFECTIVE DATE.—

(1) GENERAL RULE.—Except as provided by paragraphs (2), (3), and (4), the amendments made by subsections (a) and (b) shall apply with respect to acquisitions of debt obligations, and designations described in section 4914(e)(3)(D) or 4914(e)(3)(E)(ii) of the Internal Revenue Code of 1954, made after February 10, 1965.

(2) PREEXISTING COMMITMENTS.—Such amendments shall not apply to an acquisition—

(A) made pursuant to an obligation to acquire which on February 10, 1965—

(i) was unconditional, or

(ii) was subject only to conditions contained in a formal contract under which partial performance had occurred; or

(B) as to which on or before February 10, 1965, the acquiring United States person (or, in a case where 2 or more United States persons are making acquisitions as part of a single transaction, a majority in interest of such persons) had taken every action to signify approval of the acquisition under the procedures ordinarily employed by such person (or persons) in similar transactions and had sent or deposited

for delivery to the foreign person from whom the acquisition was made written evidence of such approval in the form of a commitment letter, memorandum of terms, draft purchase contract, or other document setting forth, or referring to a document sent by the foreign person from whom the acquisition was made which set forth, the principal terms of such acquisition, subject only to the execution of formal documents evidencing the acquisition and to customary closing conditions.

(3) PUBLIC OFFERINGS.—Such amendments shall not apply to an acquisition of debt obligations made on or before April 12, 1965, if—

(A) a registration statement (within the meaning of the Securities Act of 1933) was in effect with respect to the debt obligation acquired at the time of its acquisition; 48 Stat. 74. 15 USC 77a.

(B) the registration statement was first filed with the Securities and Exchange Commission on February 10, 1965, or within 90 days before that date; and

(C) no amendment was filed with the Securities and Exchange Commission after February 10, 1965, and before the acquisition which had the effect of increasing the aggregate face amount of the debt obligations covered by the registration statement.

(4) FORECLOSURES.—Such amendments shall not apply to an acquisition of debt obligations as a result of a foreclosure by a creditor pursuant to the terms of an instrument held by such creditor on February 10, 1965.

(d) RETURNS.—

(1) FIRST RETURN PERIOD.—Notwithstanding any provision of section 6011(d)(1) of the Internal Revenue Code of 1954, the first period for which returns shall be made under such section 6011 (d)(1) with respect to acquisitions made subject to tax by this section shall be the period commencing February 11, 1965, and ending at the close of the calendar quarter in which the enactment of this Act occurs. 78 Stat. 843. 26 USC 6011.

(2) TIME FOR FILING FIRST RETURNS.—Notwithstanding any provision of section 6076 of the Internal Revenue Code of 1954, the first return with respect to acquisitions made subject to tax by this section shall be filed on or before the last day of the first month following the close of the calendar quarter in which the enactment of this Act occurs, or at such later time as may be provided in regulations prescribed by the Secretary or his delegate. 26 USC 6076.

(e) CONFORMING AMENDMENTS.—

(1) Effective as provided in paragraph (2), section 4931 is amended— 26 USC 4931.

(A) by striking out subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively;

(B) by striking out "subsection (b) or (c)" each place it appears in subsection (a) and inserting in lieu thereof "subsection (b)";

(C) by striking out ", and the tax imposed under subsection (c)," each place it appears in the subsection herein redesignated as subsection (c); and

(D) by striking out "3 YEARS" in the heading to subsection (b) and inserting in lieu thereof "1 YEAR".

(2) Executive Order 11198, issued February 10, 1965, shall not be affected by the amendments made by this section and shall continue to apply as though such amendments had not been made. 30 F. R. 1929.

The amendments made by this subsection shall take effect only at such time as may be provided in a modification hereafter made (in accordance with section 4931 of the Internal Revenue Code of 1954) in such Executive order.

78 Stat. 839.
26 USC 4931.

SEC. 4. OTHER AMENDMENTS.

(a) CERTAIN EXPORT LEASES.—

26 USC 4914.

(1) Section 4914(c) is amended by redesignating paragraph (6) as paragraph (7) and by inserting after paragraph (5) the following new paragraph:

26 USC 4911.

"(6) CERTAIN EXPORT LEASES.—The tax imposed by section 4911 shall not apply to the acquisition from a foreign obligor by a United States person of a debt obligation of such obligor arising out of a lease of personal property to such obligor by such United States person if—

"(A) at least 30 percent of the value of the property subject to the lease, or 60 percent of the actual value of the debt obligation arising out of such lease, is attributable to the use of tangible personal property which was manufactured, produced, grown, or extracted in the United States by such United States person (or by one or more includible corporations in an affiliated group, as defined in section 1504, of which such person is a member), or to the performance of services pursuant to the terms of the lease by such United States person (or by one or more such corporations) with respect to such personal property, or to both, and

68A Stat. 369.
26 USC 1504.

"(B) at least 50 percent of the value of the property subject to lease, or 100 percent of the actual value of the debt obligation arising out of such lease, is attributable to the use of tangible personal property which was manufactured, produced, grown, or extracted in the United States, or to the performance of services pursuant to the terms of the lease by United States persons, or to both."

(2) Section 4914(b)(6) is amended by inserting "or lease" after "sale".

(3) Section 4914(j)(1) is amended—

(A) by striking out "or (5)" in subparagraph (A) and inserting in lieu thereof "(5), or (6)";

(B) by striking out "or (5)" in subparagraph (D) and inserting in lieu thereof "(5), or (6)"; and

(C) by striking out "or (3)" in clause (iii) in subparagraph (A) and inserting in lieu thereof "(3), or (6)" and by inserting after the word "sale" in such clause the words "or lease".

(4) Paragraph (1) of the subsection of section 4931 redesignated as subsection (c) by section 3(e) of this Act is amended—

(A) by inserting "or lease" after "sale" each place it appears;

(B) by inserting after "loan" in subparagraph (A) the following: ", amount paid, or other consideration given to acquire such debt obligation";

(C) by inserting "or leasing" after "selling" in subparagraph (B); and

(D) by adding at the end of such paragraph (after and below subparagraph (B)) the following new sentence:

"For purposes of the preceding sentence, the acquisition by a wholly-owned subsidiary of a commercial bank of a debt obligation arising out of a lease made by such subsidiary shall be treated as the acquisition of a debt obligation by a commercial bank."

(b) SALES OF FOREIGN BRANCHES.—

(1) Section 4914(g)(1) is amended— 78 Stat. 813. 26 USC 4914.

(A) by striking out "or" at the end of subparagraph (A);

(B) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof "; or"; and

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

"(C) as part or all of the purchase price in a sale by such United States person of substantially all of the assets of a branch of such United States person located outside the United States."

(2) Section 4914(g)(2) is amended to read as follows:

"(2) LIMITATIONS.—Subparagraphs (A) and (B) of paragraph (1) shall not apply to the acquisition of a debt obligation if any of the stock sold or surrendered in connection with its acquisition was originally acquired with the intent to sell or surrender. Subparagraph (C) of paragraph (1) shall not apply to the acquisition of a debt obligation if any of the assets sold had been transferred to the branch for the purpose of sale (other than sale in the ordinary course of its trade or business)."

(3) The heading of section 4914(g) is amended by inserting "OR SALE OF FOREIGN BRANCH" after "SUBSIDIARY".

(4) Section 4914(b)(10) is amended to read as follows:

"(10) ACQUISITIONS OF DEBT OBLIGATIONS ON SALE OR LIQUIDATION OF WHOLLY OWNED FOREIGN SUBSIDIARIES OR SALE OF FOREIGN BRANCHES.—Of debt obligations acquired in connection with the sale or liquidation of a wholly owned foreign corporation or the sale of a foreign branch, to the extent provided in subsection (g)."

(c) CONSTRUCTION LOANS.—

(1) Section 4914(h) is amended to read as follows:

"(h) CERTAIN DEBT OBLIGATIONS SECURED BY UNITED STATES MORTGAGES, ETC.—

"(1) IN GENERAL.—The tax imposed by section 4911 shall not apply to the acquisition from a foreign obligor by a United States person of— 26 USC 4911.

"(A) a debt obligation of such foreign obligor which is secured by real property located in the United States, to the extent that such debt obligation—

"(i) is a part of the purchase price of such real property (or of such real property and related personal property), or

"(ii) arises out of a loan made by such United States person to the foreign obligor the proceeds of which are concurrently used as part of the purchase price of such real property (or of such real property and related personal property); or

"(B) a debt obligation of such foreign obligor which is secured by real property located in the United States on which improvements are under construction by the obligor, if such debt obligation arises out of a loan made by such United States person all the proceeds of which are used—

"(i) to finance the construction of such improvements, or

"(ii) to repay all or any part of a loan made to finance such construction, if the construction loan has qualified (or would have qualified) under paragraph (2)(B) and such repayment occurs within 5 years after such construction loan is made.

"(2) LIMITATIONS.—Paragraph (1) shall apply to the acquisition of a debt obligation only if—

"(A) in the case of the sale of property referred to in paragraph (1)(A)—

"(i) the seller is a United States person, and

"(ii) at least 25 percent of the purchase price of the property sold is, at the time of such sale, paid in United States currency to such United States person by the foreign obligor from funds not obtained from United States persons for the purpose of purchasing such property; or

"(B) in the case of the construction of improvements referred to in paragraph (1)(B)—

"(i) at the time any proceeds of the loan out of which such debt obligation arises are advanced, an amount equal to at least one-third of the amount of such advance, plus one-third of the amount of any previous advances of such proceeds, has been expended for such construction by the foreign obligor in United States currency from funds not obtained from United States persons for the purpose of financing such construction, and

"(ii) not less than 85 percent of the cost of such construction attributable to property or services is attributable to property grown, extracted, manufactured, or produced in the United States, or to services performed by United States persons, or to both.

"(3) RELATED PERSONAL PROPERTY.—For purposes of paragraph (1)(A), the term 'related personal property' means personal property which is sold in connection with the sale of real property for use in the operation of such real property."

78 Stat. 813.
26 USC 4914.

(2) Section 4914(b)(11) is amended to read as follows:

"(11) ACQUISITIONS OF CERTAIN DEBT OBLIGATIONS SECURED BY REAL PROPERTY IN THE UNITED STATES.—Of debt obligations secured by real property in the United States, to the extent provided in subsection (h)."

(d) STUDENT LOANS.—Section 4914(b) is amended by adding at the end thereof the following new paragraph:

"(13) STUDENT LOANS.—Of debt obligations which arise out of loans to a foreign obligor registered as a full-time student at an educational institution (as defined in section 151(e)(4)) in the United States, to the extent that the acquisition by the acquiring person of such debt obligations with a period remaining to maturity of 1 year or more from such obligor in any calendar year does not exceed $2,500."

68A Stat. 42.
26 USC 151.

(e) TANGIBLE PROPERTY HELD FOR PERSONAL USE.—Section 4914(b) is amended by adding at the end thereof (after the new paragraph added by subsection (d) of this section) the following new paragraph:

"(14) TANGIBLE PROPERTY HELD FOR PERSONAL USE.—Of debt obligations arising out of the sale of tangible property located outside the United States which was held for his personal use by the person acquiring such obligation."

(f) CERTAIN FOREIGN BRANCHES ENGAGED IN THE COMMERCIAL BANKING BUSINESS WHICH ARE MEMBERS OF FOREIGN STOCK EXCHANGES.—

(1) Section 4914(b)(2) is amended by adding at the end thereof (after and below subparagraph (B)) the following new sentence:

"Stock or debt obligations acquired by a foreign branch of a corporation, in connection with its banking business, shall be

considered debt obligations described in subparagraph (A) of the preceding sentence if—

"(i) such branch is engaged in the commercial banking business and is also a member of a foreign stock exchange all the members of which on June 29, 1965, were banks,

"(ii) on July 18, 1963, such branch was so engaged and was such a member,

"(iii) such stock or debt obligations would not (but for this sentence) be excludable under the preceding sentence, and

"(iv) at the time of such acquisition, such branch does not hold stock and debt obligations described in clause (iii) which have an adjusted basis in excess of 3 percent of the deposits of the customers (other than deposits of United States persons engaged in the commercial banking business and members of an affiliated group (determined under section 48(c)(3)(C)) of which such a United States person is a member) of such branch payable in the currency of the country in which such branch is located."

76 Stat. 969.
26 USC 48.

(2) Section 4914(j)(2) is amended by adding at the end thereof the following new sentence: "For purposes of this chapter, if, after July 18, 1963, a United States person sells or otherwise disposes of stock or a debt obligation to the acquisition of which the last sentence of subsection (b)(2) applied, such person shall not, with respect to that stock or debt obligation, be considered a United States person."

78 Stat. 813.
26 USC 4914.

(3) The amendments made by this subsection shall apply to acquisitions made after July 18, 1963.

(g) CERTAIN CURRENT DESIGNATIONS BY INSURANCE COMPANIES.—Section 4914(e)(3)(B) is amended to read as follows:

"(B) CURRENT DESIGNATIONS TO MAINTAIN FUND.—

"(i) IN GENERAL.—To the extent permitted by subparagraph (E), stock of a foreign issuer or a debt obligation of a foreign obligor acquired by an insurance company after July 18, 1963, may be designated as part of a fund of assets described in paragraph (2), if such designation is made before the expiration of 30 days after the date of such acquisition and the company continues to own the stock or debt obligation until the time the designation is made; except that any such stock or debt obligation acquired before the initial designation of assets to the fund is actually made as provided in subparagraph (A)(ii) may be designated under this clause at the time of such initial designation without regard to such 30-day and continued ownership requirements.

"(ii) CERTAIN DEBT OBLIGATIONS HAVING MATURITY OF LESS THAN 3 YEARS.—A debt obligation having a period remaining to maturity (on the date of acquisition) of at least 1 year but less than 3 years, which is acquired during the period beginning February 11, 1965, and ending on the date of the enactment of the Interest Equalization Tax Extension Act of 1965, may be designated as part of a fund of assets described in paragraph (2) on or before the 30th day after the date of such enactment (or at such later time as the Secretary or his delegate may by regulations prescribe) without regard to the 30-day and continued ownership requirements provided in clause (i)."

(h) ACQUISITIONS BY CERTAIN TAX-EXEMPT ORGANIZATIONS.—

78 Stat. 813. 26 USC 4914.

(1) Section 4914(f) is amended by adding at the end thereof (after and below paragraph (2)) the following new sentence: "For purposes of this subsection, stock or debt obligations acquired as a result of the investment or reinvestment of such contributions or fees which consist of insurance premiums (other than premiums paid to a mutual insurance company or association described in section 501(c)(15)) paid by the members of such local organizations shall be treated as held exclusively for the benefit of such members if primarily so held, notwithstanding that such stock or debt obligations may, under certain contingencies, be used for the benefit of other members of such United States person."

68A Stat. 165. 26 USC 501.

(2) The amendment made by paragraph (1) shall apply with respect to acquisitions of stock and debt obligations made after July 18, 1963.

(i) EXCLUSION FOR INVESTMENTS IN LESS DEVELOPED COUNTRY PARTNERSHIPS.—Section 4916(c)(1) is amended by adding at the end thereof the following new sentence: "A foreign partnership, as defined in section 7701(a) (2) and (5), the assets and gross income of which, for the applicable periods set forth in paragraph (3), satisfy the requirements of subparagraph (A) or (B) of the first sentence of this paragraph, shall be treated as a less developed country corporation for purposes of this section."

26 USC 4916.

68A Stat. 911. 26 USC 7701.

(j) NOTICE OF ACQUISITION FOR EXCLUSION OF ORIGINAL OR NEW ISSUES.—Section 4917 is amended—

26 USC 4917.

(1) by adding at the end of subsection (a) the following new sentence: "In the case of acquisitions of debt obligations having a period remaining to maturity of 1 year or more but less than 3 years made during the period beginning February 11, 1965, and ending with the date of the enactment of the Interest Equalization Tax Extension Act of 1965, the notice of acquisition may be filed within such period following the date of such enactment as the Secretary or his delegate may prescribe by regulations."; and

(2) by adding at the end of such section the following new subsection:

"(d) REDUCTION OF EXCLUSION IN CASE OF LATE FILING OF CERTAIN NOTICES OF ACQUISITION.—If, with respect to an acquisition after the date of the enactment of the Interest Equalization Tax Extension Act of 1965 of stock or a debt obligation which is all or part of an original or new issue to which an Executive order issued under subsection (a) is applicable (other than an Executive order which is applicable to a limited aggregate amount of such issues), the notice of acquisition required by subsection (a) is not filed on or before the last day (including extensions of time) specified in the regulations prescribed by the Secretary or his delegate under such subsection, the exclusion provided by such Executive order shall not apply to 5 percent of such acquisition for each 30-day period or fraction thereof after such last day during which such failure continues, except that in no event shall such exclusion be reduced under this subsection by more than 25 percent of such acquisition."

(k) CONSIDERATION OF TREATY VIOLATIONS IN CONNECTION WITH EXCLUSION FOR ORIGINAL OR NEW ISSUES.—Section 4917 is amended by adding after subsection (d) (as added by subsection (j) of this section) the following new subsection:

"(e) FULFILLMENT OF TREATY OBLIGATIONS.—In determining whether to issue an Executive order under subsection (a) with respect to a foreign country, and in determining whether to revoke or modify an Executive order issued under subsection (a) with respect to a foreign country (whether issued before or after the enactment of this

subsection), the President may take into account whether such foreign country is according privileges to United States persons in conformity with treaties of friendship, commerce, and navigation between the United States and such foreign country."

(l) CREDIT OR REFUND FOR SALES OF STOCK BY DEALERS TO FOREIGN PERSONS.—

(1) Section 4919(a)(3) is amended to read as follows: 78 Stat. 833. 26 USC 4919.

"(3) CERTAIN STOCK.—Consist of stock—

"(A) acquired by a dealer in the ordinary course of his business and sold by him on the day of purchase or on either of the two succeeding business days to—

"(i) persons other than United States persons, or

"(ii) another dealer who resells it on the same or the next business day to persons other than United States persons; or

"(B) acquired by a dealer in the ordinary course of his business to cover short sales made by him on the day of purchase or on either of the two preceding business days to—

"(i) persons other than United States persons, or

"(ii) another dealer who resold it on the same or the next business day to persons other than United States persons."

(2) Section 4919(b)(3) is amended by striking out the heading and inserting in lieu thereof "CERTAIN SALES BY DEALERS.—".

(3) Section 4919(b)(3)(B) is amended—

(A) by striking out "with respect to a debt obligation sold in a transaction" and inserting in lieu thereof "with respect to a sale";

(B) by striking out "a debt obligation" each place it appears in clauses (i) and (ii) and in the matter which follows and inserting in lieu thereof "stock or a debt obligation";

(C) by striking out "such debt obligation" each place it appears in the matter which follows clause (ii) and inserting in lieu thereof "such stock or debt obligation"; and

(D) by inserting "or (a)(3)" after "subsection (a)(2)" each place it appears.

(m) COMMERCIAL FINANCING.—

(1) Section 4920(a) is amended by inserting after paragraph (5) the following new paragraph: 26 USC 4920.

"(5A) CERTAIN COMMERCIAL FINANCING BRANCHES NOT TREATED AS DOMESTIC CORPORATIONS.—The term 'domestic corporation' does not include a branch office of such a corporation located outside the United States if—

"(A) such corporation is primarily engaged in the trade or business of acquiring debt obligations (i) arising out of the sale of tangible personal property produced, manufactured, or assembled by one or more includible corporations in an affiliated group (determined under section 48(c)(3)(C) except that clause (i) of such section shall not apply) of which such acquiring corporation is a member and (ii) arising out of the sale of tangible personal property received as part or all of the consideration in sales of tangible personal property described in clause (i); 76 Stat. 969. 26 USC 48.

"(B) such office is primarily engaged in the trade or busi-

ness of acquiring debt obligations described in subparagraph (A) which are repayable exclusively in one or more currencies other than United States currency;

"(C) such office was located outside the United States on February 10, 1965, and was regularly engaged in the trade or business of acquiring debt obligations described in subparagraph (B) for a period of not less than 12 consecutive months before February 10, 1965;

"(D) such office maintains separate books and records reasonably reflecting the assets and liabilities properly attributable to such office; and

"(E) there is in effect an election that such branch office be treated as a foreign corporation for purposes of this chapter.

For purposes of this paragraph, a corporation or a branch office shall be treated as primarily engaged in the trade or business described in subparagraph (A) during the taxable year if at least 90 percent of the face amount of the debt obligations acquired by such corporation or branch office during such taxable year consists of debt obligations described in subparagraph (A) and if throughout such taxable year such corporation or branch office is exclusively engaged in the trade or business of acquiring debt obligations (whether or not described in subparagraph (A)) and servicing debt obligations arising out of sales of tangible personal property described in subparagraph (A). The election under this paragraph shall be made by such corporation in accordance with regulations prescribed by the Secretary or his delegate. A separate election may be made with respect to each branch office of such corporation except that, for purposes of this paragraph, all branch offices of such corporation located in a country shall be treated as a single branch office. Such election shall be effective as of February 10, 1965, and shall remain in effect until revoked in accordance with such regulations. If, at any time, such corporation ceases to meet the requirements of subparagraph (A), all elections made by such corporation under this paragraph shall be deemed revoked. If, at any time, a branch office (within the meaning of this paragraph) ceases to meet the requirements of subparagraph (B) or (D), the election with respect to such office shall thereupon be deemed revoked. When an election is revoked, a new election under subparagraph (E) may be made subject to such conditions and limitations as may be prescribed by the Secretary or his delegate."

78 Stat. 835.
26 USC 4920.

(2)(A) Section 4920(a)(5) is amended by adding at the end thereof the following new sentence: "A corporation or partnership making an election under this paragraph or paragraph (5A) with respect to a branch office located outside the United States shall not, at any time, execute a certificate of American ownership (within the meaning of section 4918) either with respect to stock or a debt obligation of a foreign issuer or obligor held by such branch office at the time the election is made with respect to such branch office or with respect to stock or a debt obligation of a foreign issuer or obligor acquired by such branch office while the election with respect to such branch office is in effect."

26 USC 4918.

(B) The amendment made by subparagraph (A)—

(i) insofar as it relates to elections made under section 4920(a)(5), shall apply to dispositions made after June 28, 1965; and

78 Stat. 835.
26 USC 4920.

(ii) insofar as it relates to elections made under section 4920(a)(5A), shall apply to dispositions made after February 10, 1965.

26 USC 4912.

(3) Section 4912(b)(2)(B) is amended—

(A) by striking out "section 4920(a)(5)(E)" and inserting in lieu thereof "paragraph (5) or (5A) of section 4920 (a)"; and

(B) by inserting "(including, in the case of a transfer to a branch office described in section 4920(a)(5A), a transfer made for consideration)" after "money or other property" where it first appears.

(n) FOREIGN STOCK ISSUES TREATED AS DOMESTIC.—Section 4920 is amended—

(1) by striking out paragraph (8) of subsection (a),

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and

(3) by inserting after subsection (a) the following new subsection:

"(b) FOREIGN STOCK ISSUES TREATED AS DOMESTIC.—

"(1) IN GENERAL.—For purposes of this chapter, a foreign corporation (other than a company registered under the Investment Company Act of 1940) shall not be considered a foreign issuer with respect to any class of its stock if—

54 Stat. 789.
15 USC 80a-51.

"(A) as of the corporation's latest record date before July 19, 1963, more than 65 percent of such class of stock was held of record by United States persons, or

"(B) the class of stock had its principal market during the calendar year 1962 on one or more national securities exchanges registered with the Securities and Exchange Commission, and, as of the corporation's latest record date before July 19, 1963, more than 50 percent of such class of stock was held of record by United States persons.

"(2) CLASS OF STOCK DEFINED.—For purposes of this subsection, the term 'class of stock' means all shares of stock of a corporation issued and outstanding as of the corporation's latest record date before July 19, 1963, which are identical with respect to the rights and interest such shares represent in the control, profits, and assets of the corporation. Such term also includes additional shares possessing rights and interests identical with the rights and interests of shares described in the preceding sentence if such additional shares shall have been—

"(A) issued on or before November 10, 1964;

"(B) issued after November 10, 1964, pursuant to a written commitment made by such corporation on or before such date;

"(C) issued after November 10, 1964, to a shareholder with respect to or in exchange solely for shares described in this paragraph; or

"(D) issued after November 10, 1964, and if—

"(i) such corporation was actively engaged in a trade or business on July 19, 1963;

"(ii) shares of such class were held of record by more than 250 shareholders on the corporation's latest record date before July 19, 1963;

"(iii) the percentage of shares of such class held of record by United States persons as of the corporation's latest record date before the issuance of such additional shares is not less than the percentage required to be held by United States persons as of the latest record date before July 19, 1963, in order for the class of stock to qualify under paragraph (1);

"(iv) all such additional shares are shares which, if acquired by United States persons at the time of original issuance, would have been excluded from the tax imposed by section 4911 by reason of section 4914(a)(6), 4916, or 4917, or are shares exchanged in a reorganization described in section 368(a)(1)(B) for shares of a domestic corporation which was engaged in the active conduct of a trade or business (other than as a dealer in securities) immediately before the date of such exchange; and

78 Stat. 809.
26 USC 4911, 4914, 4916, 4917.
68A Stat. 120.
26 USC 368.

"(v) at least 15 days before the date such additional shares are issued (or, in the case of an issue occurring on or before the 60th day after the date of the enactment of this sentence, within such period as may be prescribed by the Secretary or his delegate by regulations), the issuing corporation files (in accordance with regulations prescribed by the Secretary or his delegate) a notice of intent to issue such shares.

For purposes of subparagraph (D), the issuance of an option or similar right to acquire stock, or of any debt obligation convertible into stock, shall be treated as the issuance of the stock which may be obtained on the exercise of such option or similar right or the conversion of such debt obligation."

(o) COMMERCIAL BANK LOANS.—

Ante, p. 955.

(1) Paragraph (2) of the subsection of section 4931 redesignated as subsection (c) by section 3(e) of this Act is amended by striking out "(other than banks)" each place it appears and inserting in lieu thereof "(other than United States persons engaged in the commercial banking business and members of an affiliated group (determined under section 48(c)(3)(C)) of which such a United States person is a member)".

76 Stat. 969.
26 USC 48.

(2) The last sentence of section 4931(c) (as enacted on September 2, 1964) is amended by striking out ", except that, for such purposes, the provisions of section 4918 shall not apply".

78 Stat. 839.
26 USC 4918.

(p) DEDUCTIBILITY OF INTEREST EQUALIZATION TAX.—

(1) Section 263(a)(3) is amended to read as follows:

78 Stat. 845.
26 USC 263.

"(3) Except as provided in subsection (d), any amount paid as tax under section 4911 (relating to imposition of interest equalization tax)."

(2) Section 263 is amended by adding at the end thereof the following new subsection:

"(d) REIMBURSEMENT OF INTEREST EQUALIZATION TAX.—The deduction allowed by section 162(a) or 212 (whichever is appropriate) shall include any amount paid or accrued in the taxable year or a preceding taxable year as tax under section 4911 (relating to imposition of interest equalization tax) to the extent that any amount attributable to the amount paid or accrued as tax is included in gross income

68A Stat. 45, 69.
26 USC 162, 212.

for the taxable year. Under regulations prescribed by the Secretary or his delegate, the preceding sentence shall not apply with respect to any amount attributable to that part of the tax so paid or accrued which is attributable to an amount for which a deduction has been claimed for the taxable year or a preceding taxable year under section 171 (relating to amortization of bond premium)." 68A Stat. 61. 26 USC 171.

(3) The amendments made by this subsection shall apply to taxable years ending after September 2, 1964.

(q) EFFECTIVE DATE.—Except as otherwise specifically provided in this section and in the amendments made by this section, such amendments shall apply with respect to acquisitions of stock and debt obligations made after February 10, 1965. Executive Order 11198, issued February 10, 1965, to the extent it is inconsistent with the amendments made by this section, shall be deemed modified by such amendments. 30 F. R. 1929.

SEC. 5. PREEXISTING COMMITMENTS.

(a) CERTAIN COMMITMENTS EXISTING ON OR BEFORE JULY 18, 1963.—Section 2(c)(2)(B) of the Interest Equalization Tax Act is amended to read as follows: 78 Stat. 841. 26 USC 4911 note.

"(B) as to which on or before July 18, 1963, the acquiring United States person (or, in a case where 2 or more United States persons are making acquisitions as part of a single transaction, a majority in interest of such persons) had taken every action to signify approval of the acquisition under the procedures ordinarily employed by such person (or persons) in similar transactions, subject only to the execution of formal documents evidencing the acquisition and to customary closing conditions, and the acquiring United States person (or persons)—

"(i) had sent or deposited for delivery to the foreign person from whom the acquisition was made written evidence of such approval in the form of a commitment letter, memorandum of terms, draft purchase contract, or other document setting forth, or referring to a document sent by the foreign person from whom the acquisition was made which set forth, the principal terms of such acquisition, or

"(ii) had received from the foreign person from whom the acquisition was made a memorandum of terms, draft purchase contract, or other document setting forth, or referring to a document sent by the acquiring United States person (or persons) which set forth, the principal terms of such acquisition;".

(b) CERTAIN DEBT OBLIGATIONS OF FORMER LESS DEVELOPED COUNTRIES.—The tax imposed by section 4911 of the Internal Revenue Code of 1954 shall not apply to the acquisition by a United States person of a debt obligation issued by the government of a foreign country which has been designated as an economically less developed country under an Executive order of the President in effect for purposes of the tax imposed by section 4911, but with respect to which such designation has been terminated before the enactment of this Act, if, prior to such acquisition, the Secretary of State has certified to the Secretary of the Treasury or his delegate that— 78 Stat. 809. 26 USC 4911.

(1) the government of such foreign country had, on or before April 6, 1965, communicated to the United States Department of State its intention to issue such debt obligation;

(2) the government of such foreign country had, on or before April 6, 1965, commenced negotiations with United States persons relative to the issuance of such debt obligation; and

78 Stat. 809.
26 USC 4911.

(3) exemption from the tax imposed by section 4911 of the Internal Revenue Code of 1954 on the acquisition of such debt obligation by a United States person is in the best interests of the United States.

SEC. 6. USE OF FOREIGN CURRENCIES OWNED BY THE UNITED STATES.

(a) Under the direction of the President, the Secretary of the Treasury shall periodically ascertain, by country, the amount of funds required by the United States Government to pay its obligations in foreign countries, including obligations payable in foreign currencies.

(b) Every international agreement (other than an agreement entered into pursuant to title I of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480, 83d Congress)) hereafter entered into, or hereafter amended or extended, between the United States and any foreign country under which currency of such country accrues or will accrue for the use of the United States shall include provisions that such currency may be used for paying United States obligations in such country which may be paid in such currency, and if not needed for such purpose may be used, or converted to other foreign currencies or to dollars for use, in paying United States obligations in any foreign country, in such amounts as the Secretary of the Treasury considers necessary for the requirements of the United States.

68 Stat. 454.
7 USC 1701-1709.

Report to congressional committees.

(c) The Secretary of the Treasury shall submit a report annually to the Senate Committee on Finance and the House Committee on Ways and Means which shows, by executive agencies and by countries, (1) the expenditures in dollars and in foreign currencies made during the preceding fiscal year in paying the obligations of the United States in foreign countries, (2) the amounts of foreign currencies available for the use of the United States at the close of such year, and (3) the amounts of foreign currencies convertible to other foreign currencies or to dollars at the close of such year.

(d) This section shall terminate at the time when the tax imposed by section 4911 of the Internal Revenue Code of 1954 terminates.

Approved October 9, 1965, 6:25 a.m.

Public Law 89-244

AN ACT

October 9, 1965
[H. R. 8035]

To authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, 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 accept the donation of approximately six hundred and eleven acres of lands, submerged lands, islands, and marshlands or interests therein, known as the William Floyd Estate, located in the town of Brookhaven, county of Suffolk, and State of New York, delineated on a certain map entitled "Map of the Fire Island National Seashore, Including the William Floyd Estate", numbered OGP-0003, dated May 1965, which map or a true copy thereof shall be filed with the Federal Register and may be examined in the offices of the Department of the Interior. Such donation may be accepted subject to such terms, covenants, and conditions as the Secretary finds will be in the public interest.

Fire Island National Seashore, N.Y. Additional land. 78 Stat. 928.

Filing with Federal Register.

SEC. 2. The Secretary is also authorized to accept the donation of the main dwelling on said lands, which was the birthplace and residence of General William Floyd (a signer of the Declaration of Independence) and the furnishings therein and any outbuildings, subject to like terms, covenants, and conditions. The Secretary is authorized to lease said lands, dwellings, and outbuildings to the grantors thereof for a term of not more than twenty-five years, at $1 per annum, and during the period of the leasehold the Secretary may provide protective custody for such property.

Lease of lands, dwellings, etc.

SEC. 3. Upon expiration or surrender of the aforesaid lease the property shall become a detached unit of the Fire Island National Seashore, and shall be administered, protected, and developed in accordance with the laws applicable thereto subject, with respect to said main dwelling and the furnishings therein, to such terms, covenants, and conditions which the Secretary shall have accepted and approved upon the donation thereof as in the public interest.

Approved October 9, 1965, 6:30 a.m.

Public Law 89-245

AN ACT

October 9, 1965
[H. R. 10516]

Authorizing the disposal of vegetable tannin extracts 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 approximately the following quantities of vegetable tannin extracts now held in the national stockpile: fifteen thousand long tons of chestnut, one hundred eleven thousand four hundred and fifty-seven long tons of quebracho, and twenty-three thousand nine hundred and sixty-two long tons of wattle. Such disposal may be made without regard to the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition.

Vegetable tannin extracts. Disposal.

60 Stat. 597.

Publication in Federal Register.

Approved October 9, 1965, 6:30 a.m.

Public Law 89-246

October 9, 1965
[H. R. 10714]

AN ACT

To authorize the disposal of colemanite from the supplemental stockpile.

Colemanite.
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 sixty-seven thousand six hundred long dry tons (gross weight) of colemanite 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 October 9, 1965, 6:30 a.m.

Public Law 89-247

October 9, 1965
[H. R. 10715]

AN ACT

To authorize the disposal of chemical grade chromite from the supplemental stockpile.

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 six hundred and fifty-nine thousand one hundred short tons of chemical grade chromite 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 October 9, 1965, 6:31 a.m.

Public Law 89-248

October 9, 1965
[H. J. Res. 309]

JOINT RESOLUTION

To amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House.

House of Representatives.
Additional electric typewriters.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the joint resolution entitled "Joint resolution to authorize the Clerk of the House of Representatives to furnish certain electrical or mechanical office equipment for the use of Members, officers, and committees of the House of Representatives", approved March 25, 1953, as amended (2 U.S.C. 112a-1), is amended by striking out "three electric typewriters" and inserting in lieu thereof "four electric typewriters, one

70 Stat. 31;
75 Stat. 221.

of which may be an automatic typewriter", and by striking out "four electric typewriters" and inserting in lieu thereof "five electric typewriters, one of which may be an automatic typewriter".

Approved October 9, 1965, 6:32 a.m.

Public Law 89-249

October 9, 1965
[H. R. 2091]

AN ACT

Relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes.

National Park Service. Concession policies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the Act of August 25, 1916 (39 Stat. 535), as amended (16 U.S.C. 1), which directs the Secretary of the Interior to administer national park system areas in accordance with the fundamental purpose of conserving their scenery, wildlife, natural and historic objects, and providing for their enjoyment in a manner that will leave them unimpaired for the enjoyment of future generations, the Congress hereby finds that the preservation of park values requires that such public accommodations, facilities, and services as have to be provided within those areas should be provided only under carefully controlled safeguards against unregulated and indiscriminate use, so that the heavy visitation will not unduly impair these values and so that development of such facilities can best be limited to locations where the least damage to park values will be caused. It is the policy of the Congress that such development shall be limited to those that are necessary and appropriate for public use and enjoyment of the national park area in which they are located and that are consistent to the highest practicable degree with the preservation and conservation of the areas.

"Concessioners."

SEC. 2. Subject to the findings and policy stated in section 1 of this Act, the Secretary of the Interior shall take such action as may be appropriate to encourage and enable private persons and corporations (hereinafter referred to as "concessioners") to provide and operate facilities and services which he deems desirable for the accommodation of visitors in areas administered by the National Park Service.

Contracts.

SEC. 3. (a) Without limitation of the foregoing, the Secretary may include in contracts for the providing of facilities and services such terms and conditions as, in his judgment, are required to assure the concessioner of adequate protection against loss of investment in structures, fixtures, improvements, equipment, supplies, and other tangible property provided by him for the purposes of the contract (but not against loss of anticipated profits) resulting from discretionary acts, policies, or decisions of the Secretary occurring after the contract has become effective under which acts, policies, or decisions the concessioner's authority to conduct some or all of his authorized operations under the contract ceases or his structures, fixtures, and improvements, or any of them, are required to be transferred to another party or to be abandoned, removed, or demolished. Such terms and conditions may include an obligation of the United States to compensate the concessioner for loss of investment, as aforesaid.

Profits.

(b) The Secretary shall exercise his authority in a manner consistent with a reasonable opportunity for the concessioner to realize a profit on his operation as a whole commensurate with the capital invested and the obligations assumed.

Rates.

(c) The reasonableness of a concessioner's rates and charges to the public shall, unless otherwise provided in the contract, be judged primarily by comparison with those current for facilities and services

of comparable character under similar conditions, with due consideration for length of season, provision for peakloads, average percentage of occupancy, accessibility, availability and costs of labor and materials, type of patronage, and other factors deemed significant by the Secretary.

Franchise fees.

(d) Franchise fees, however stated, shall be determined upon consideration of the probable value to the concessioner of the privileges granted by the particular contract or permit involved. Such value is the opportunity for net profit in relation to both gross receipts and capital invested. Consideration of revenue to the United States shall be subordinate to the objectives of protecting and preserving the areas and of providing adequate and appropriate services for visitors at reasonable rates. Appropriate provisions shall be made for reconsideration of franchise fees at least every five years unless the contract is for a lesser period of time.

Contracts, extension, renewals, etc.

SEC. 4. The Secretary may authorize the operation of all accommodations, facilities, and services for visitors, or of all such accommodations, facilities, and services of generally similar character, in each area, or portion thereof, administered by the National Park Service by one responsible concessioner and may grant to such concessioner a preferential right to provide such new or additional accommodations, facilities, or services as the Secretary may consider necessary or desirable for the accommodation and convenience of the public. The Secretary may, in his discretion, grant extensions, renewals, or new contracts to present concessioners, other than the concessioner holding a preferential right, for operations substantially similar in character and extent to those authorized by their current contracts or permits.

SEC. 5. The Secretary shall encourage continuity of operation and facilities and services by giving preference in the renewal of contracts or permits and in the negotiation of new contracts or permits to the concessioners who have performed their obligations under prior contracts or permits to the satisfaction of the Secretary. To this end, the Secretary, at any time in his discretion, may extend or renew a contract or permit, or may grant a new contract or permit to the same concessioner upon the termination or surrender before expiration of a prior contract or permit. Before doing so, however, and before granting extensions, renewals or new contracts pursuant to the last sentence of section 4 of this Act, the Secretary shall give reasonable public notice of his intention so to do and shall consider and evaluate all proposals received as a result thereof.

Possessory interest.

SEC. 6. A concessioner who has heretofore acquired or constructed or who hereafter acquires or constructs, pursuant to a contract and with the approval of the Secretary, any structure, fixture, or improvement upon land owned by the United States within an area administered by the National Park Service shall have a possessory interest therein, which shall consist of all incidents of ownership except legal title, and except as hereinafter provided, which title shall be vested in the United States. Such possessory interest shall not be construed to include or imply any authority, privilege, or right to operate or engage in any business or other activity, and the use or enjoyment of any structure, fixture, or improvement in which the concessioner has a possessory interest shall be wholly subject to the applicable provisions of the contract and of laws and regulations relating to the area. The said possessory interest shall not be extinguished by the expiration or other termination of the contract and may not be taken for public use without just compensation. The said possessory interest may be assigned, transferred, encumbered, or relinquished. Unless otherwise provided by agreement of the parties, just compensation shall be an amount equal to the sound value of such structure, fixture, or improvement at the time of taking by the United States determined upon the basis of reconstruction cost less depreciation evidenced by its condition and

prospective serviceability in comparison with a new unit of like kind, but not to exceed fair market value. The provisions of this section shall not apply to concessioners whose current contracts do not include recognition of a possessory interest, unless in a particular case the Secretary determines that equitable considerations warrant recognition of such interest.

SEC. 7. The provisions of section 321 of the Act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303(b)), relating to the leasing of buildings and properties of the United States, shall not apply to privileges, leases, permits, and contracts granted by the Secretary of the Interior for the use of lands and improvements thereon, in areas administered by the National Park Service, for the purpose of providing accommodations, facilities, and services for visitors thereto, pursuant to the Act of August 25, 1916 (39 Stat. 535), as amended, or the Act of August 21, 1935, chapter 593 (49 Stat. 666; 16 U.S.C. 461-467), as amended.

16 USC 1.

SEC. 8. Subsection (h) of section 2 of the Act of August 21, 1935, the Historical Sites, Buildings, and Antiquities Act (49 Stat. 666; 16 U.S.C. 462(h)), is amended by changing the proviso therein to read as follows: "*Provided*, That the Secretary may grant such concessions, leases, or permits and enter into contracts relating to the same with responsible persons, firms, or corporations without advertising and without securing competitive bids."

Records.

SEC. 9. Each concessioner shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of the concession contract have been and are being faithfully performed, and the Secretary and his duly authorized representatives shall, for the purpose of audit and examination, have access to said records and to other books, documents, and papers of the concessioner pertinent to the contract and all the terms and conditions thereof.

Availability.

The Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of five (5) calendar years after the close of the business year of each concessioner or subconcessioner have access to and the right to examine any pertinent books, documents, papers, and records of the concessioner or subconcessioner related to the negotiated contract or contracts involved.

Approved October 9, 1965, 6:35 a.m.

Public Law 89-250

October 9, 1965
[H. R. 9417]

AN ACT

To revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes.

Jewel Cave National Monument, S. Dak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of including within the Jewel Cave National Monument significant caverns and other geological features beneath lands within the Black Hills National Forest adjacent to the national monument, the boundary of said monument is hereby revised in accordance with drawing numbered N.M.-J.C.-7100, dated June 10, 1964, prepared by the National Park Service of the Department of the Interior. Lands within the revised monument shall hereafter be administered in accordance with the Act of Congress entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented. Lands excluded from the monument pursuant to this Act shall remain and be administered as a part of the Black Hills National Forest.

16 USC 1 *et seq.*

Approved October 9, 1965, 6:35 a.m.

Public Law 89-251

October 9, 1965
[H. R. 10748]

AN ACT

To authorize the transfer of copper from the national stockpile to the Bureau of the Mint.

Copper. Transfer to Bureau of the Mint.

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 transfer to the Bureau of the Mint approximately one hundred ten thousand short tons of copper now held in the national stockpile. Such transfer may be made without regard to the provision of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition required by said section 3(e).

60 Stat. 597.

Publication in Federal Register.

Approved October 9, 1965, 6:35 a.m.

Public Law 89-252

October 9, 1965
[H. J. Res. 330]

JOINT RESOLUTION

To authorize the disposal of chromium metal, acid grade fluorspar, and silicon carbide from the supplemental stockpile.

Chromium, fluorspar and silicon carbide. Disposal.

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 dispose of, by negotiation or otherwise, the following materials, in approximately the following quantities, 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)):

73 Stat. 607.

(1) thirty-three thousand five hundred and fifty-two pounds of chromium metal;

(2) four thousand five hundred and forty-eight short dry tons of acid grade fluorspar; and

(3) fifty-six short tons of silicon carbide.

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.

60 Stat. 597.

Approved October 9, 1965, 6:48 a.m.

Public Law 89-253

AN ACT

October 9, 1965
[H. R. 8283]

To expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

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 1965".

Economic Opportunity Amendments of 1965.

AMENDMENTS TO TITLE I—YOUTH PROGRAMS

JOB CORPS—DISPLACEMENT OF WORKERS

SEC. 2. Section 103 of the Economic Opportunity Act of 1964 is amended by inserting after "SEC. 103." the following new sentence: "The Director of the Office shall prescribe regulations to prevent programs under this part from displacing presently employed workers or the impairment of existing contracts for services."

78 Stat. 508.
42 USC 2713.

JOB CORPS—PAYMENT TO CERTAIN INDIVIDUALS OR ORGANIZATIONS PROHIBITED

SEC. 3. Subsection (e) of section 103 of the Economic Opportunity Act of 1964 is amended by striking out the period and adding after the word "terminated" the following: ": *Provided, however*, That the Director shall make no payments to any individual or to any organization solely as compensation for the service of referring the names of candidates for enrollment in the Corps."

JOB CORPS—CUBAN REFUGEES

SEC. 4. Section 104(a) of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following: "For purposes of this subsection, any native and citizen of Cuba who arrived in the United States from Cuba as a nonimmigrant or as a parolee subsequent to January 1, 1959, under the provisions of section 214(a) or 212(d)(5), respectively, of the Immigration and Nationality Act shall be considered a permanent resident of the United States."

42 USC 2714.

66 Stat. 189, 182.
8 USC 1184, 1182.

JOB CORPS—ENROLLEE AFFIDAVITS

SEC. 5. Section 104(d) of the Economic Opportunity Act of 1964 is amended to read as follows: "(d) Each enrollee (other than an enrollee who is a native and citizen of Cuba described in section 104 (a) of this Act) must take and subscribe to an oath or affirmation in the following form: 'I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies foreign and domestic'. The provisions of section 1001 of title 18, United States Code, shall be applicable to the oath or affirmation required under this subsection."

62 Stat. 749.

JOB CORPS—APPLICATION OF FEDERAL EMPLOYEES' COMPENSATION ACT

SEC. 6. Section 106(c)(2)(A) of the Economic Opportunity Act of 1964 is amended retroactive to January 1, 1965, to read as follows:

78 Stat. 510.
42 USC 2716.

"(A) The term 'performance of duty' in the Federal Employees' Compensation Act shall not include any act of an enrollee while absent from his or her assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from

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

such post of duty) authorized by or under the direction and supervision of the Corps."

JOB CORPS—ENROLLEE WORK ACTIVITIES

78 Stat. 511.
42 USC 2720.

SEC. 7. Section 110 of the Economic Opportunity Act of 1964 is amended by inserting the word "male" before the word "enrollees" in the first sentence.

WORK TRAINING PROGRAMS—CUBAN REFUGEES

42 USC 2734.

SEC. 8. Section 114(a) of the Economic Opportunity Act is amended by adding at the end thereof the following new sentence: "For purposes of this subsection, any native and citizen of Cuba who arrived in the United States from Cuba as a nonimmigrant or as a parolee subsequent to January 1, 1959, under the provisions of section 214(a) or 212(d)(5), respectively, of the Immigration and Nationality Act shall be considered a permanent resident of the United States."

66 Stat. 189, 182.
8 USC 1184, 1182.

WORK TRAINING PROGRAMS—LIMITATIONS ON FEDERAL ASSISTANCE

42 USC 2735.

SEC. 9. The first sentence of section 115 of the Economic Opportunity Act of 1964 is amended by striking out "two" and inserting in lieu thereof "three", and by striking out ", or June 30, 1966, whichever is later,".

WORK-STUDY PROGRAMS—LIMITATIONS ON FEDERAL ASSISTANCE

42 USC 2754.

SEC. 10. Section 124(f) of the Economic Opportunity Act of 1964 is amended by striking out "two" and inserting in lieu thereof "three", and by striking out "or June 30, 1966, whichever is later,".

AMENDMENTS TO TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

COMMUNITY ACTION PROGRAMS—PUBLIC INFORMATION

42 USC 2782.

SEC. 11. Section 202(a) of the Economic Opportunity Act of 1964 is amended by striking out "and" at the end of paragraph (3), by striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(5) which includes provision for reasonable access of the public to information including, but not limited to, reasonable opportunity for public hearings at the request of appropriate local community groups, and reasonable public access to books and records of the agency or agencies engaged in the development, conduct, and administration of the program, in accordance with procedures approved by the Director."

TYPES OF PROGRAMS

42 USC 2785.

SEC. 12. The last sentence of section 205(a) of the Economic Opportunity Act of 1964 is amended by inserting after "including" the following: ", but not limited to,".

SPECIAL PROGRAMS FOR THE CHRONICALLY UNEMPLOYED POOR

SEC. 13. Section 205 of the Economic Opportunity Act of 1964 is amended by redesignating subsection (d) as subsection (e) and adding after subsection (c) a new subsection (d) as follows:

"(d) The Director is authorized to make grants under this section for special programs (1) which involve activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age or otherwise, to secure appropriate employment or training assistance under other programs, (2) which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including without limitation activities which will contribute to the management, conservation, or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands, and (3) which are conducted in accordance with standards adequate to assure that the program is in the public interest and otherwise 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."

GENERAL COMMUNITY ACTION PROGRAMS—LIMITATIONS ON FEDERAL ASSISTANCE

SEC. 14. (a) The first sentence of section 208(a) of the Economic Opportunity Act of 1964 is amended by striking out "two" and inserting in lieu thereof "three", and by striking out ", or June 30, 1966, whichever is later,". 78 Stat. 519. 42 USC 2788.

(b) Section 208 of such Act is amended by redesignating subsection (b) as subsection (c) and inserting a new subsection (b) as follows:

"(b) The Director is authorized to prescribe regulations establishing objective criteria pursuant to which assistance may be reduced below 90 per centum for such community action programs or components as have received assistance under section 205 for a period prescribed in such regulations."

(c) Section 208(c) of such Act (as so redesignated by subsection (b) of this section) is amended by adding at the end thereof a new sentence as follows: "The requirement imposed by the preceding sentence shall be subject to such regulations as the Director may adopt and promulgate establishing objective criteria for determinations covering situations where a literal application of such requirement would result in unnecessary hardship or otherwise be inconsistent with the purposes sought to be achieved."

PARTICIPATION OF STATE AGENCIES

SEC. 15. Section 209(a) of the Economic Opportunity Act of 1964 is amended by inserting before the period the following: "including, but not limited to, consultation with appropriate State agencies on the development, conduct, and administration of such programs". 42 USC 2789.

DISAPPROVAL OF PLANS

SEC. 16. Section 209(c) of the Economic Opportunity Act of 1964 is amended by (1) inserting "of part B" before "of title I" and (2) striking out "and such plan has not been disapproved by him within thirty days of such submission" and inserting in lieu thereof "and such plan has not been disapproved by the Governor within thirty days of such submission, or, if so disapproved, has been reconsidered by the Director and found by him to be fully consistent with the provisions and in furtherance of the purposes of this part".

NOTICES

78 Stat. 519.
42 USC 2789.

SEC. 17. Section 209 of the Economic Opportunity Act of 1964 is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

"(d) When the Director receives an application from a private nonprofit agency for a community action program to be carried on in a community in which there is a community action agency carrying on a number of component programs, he shall, within five days, give notice to such community action agency and the Governor of the State in which the community is located of the receipt of such application. When the Director determines that a separate contract or grant is desirable and practical and that good cause has been shown, he is authorized to make a grant directly to, or to contract directly with, such agency."

ADULT BASIC EDUCATION PROGRAMS—PAYMENTS; FEDERAL SHARE

42 USC 2805.

SEC. 18. Section 216(b) of the Economic Opportunity Act of 1964 is amended by striking out "and the fiscal year ending June 30, 1966," and inserting in lieu thereof "and each of the two succeeding fiscal years,".

ADULT BASIC EDUCATION PROGRAMS—TEACHER TRAINING

SEC. 19. Part B of title II of the Economic Opportunity Act of 1964 is amended—

42 USC 2802.

(1) by striking out "From the sums appropriated to carry out this title" in section 213(a) and inserting in lieu thereof "From so much of the sums appropriated or allocated to carry out this part as is not reserved pursuant to section 218"; and

42 USC 2807.

(2) by redesignating section 218 as section 219 and inserting immediately after section 217 the following new section 218:

"TEACHER TRAINING PROJECTS

"SEC. 218. Not to exceed 5 per centum of the sums appropriated or allocated to carry out this part for any fiscal year may be reserved and used by the Director to provide (directly or by contract), or to make grants to colleges and 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 instructors for individuals described in section 212, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Director may by or pursuant to regulation determine."

42 USC 2801.

VOLUNTARY ASSISTANCE PROGRAM FOR NEEDY CHILDREN

SEC. 20. Title II of the Economic Opportunity Act of 1964 is amended by striking out the second sentence of section 220(a) of part C thereof.

42 USC 2822.

AMENDMENTS TO TITLE III—SPECIAL PROGRAMS TO COMBAT POVERTY IN RURAL AREAS

42 USC 2841-2881.

SEC. 21. Title III of the Economic Opportunity Act of 1964 is amended by striking out "Grants and" in the heading, and by striking out the dash after the word "make" in the first subsequent sentence and the subsequent number "(1)".

COOPERATIVE ASSOCIATION—PROHIBITION OF LOANS TO ASSIST MANUFACTURING

SEC. 22. Section 305(f) of the Economic Opportunity Act of 1964 is amended by inserting immediately before the period at the end thereof the following proviso: ": *Provided*, That packing, canning, cooking, freezing, or other processing used in preparing or marketing edible farm products, including dairy products, shall not be regarded as manufacturing merely by reason of the fact that it results in the creation of a new or different substance". 78 Stat. 524. 42 USC 2854.

ASSISTANCE FOR MIGRANT AND SEASONALLY EMPLOYED AGRICULTURAL EMPLOYEES

SEC. 23. Section 311 of the Economic Opportunity Act of 1964 is amended to read as follows: 42 USC 2861.

"MIGRANTS AND SEASONALLY EMPLOYED AGRICULTURAL EMPLOYEES

"SEC. 311. The Director is authorized to develop and implement a program of loans, loan guarantees, and grants to assist State and local agencies, private nonprofit institutions, and cooperatives in establishing, administering, and operating programs which will meet, or substantially and primarily contribute to meeting, the special needs of migratory workers and seasonal farm laborers and their families in the fields of housing, sanitation, education, and day care of children."

INDEMNITY PAYMENTS TO DAIRY FARMERS

SEC. 24. Section 331(c) of the Economic Opportunity Act is amended by striking the words "January 31, 1965" and inserting in lieu thereof the words "June 30, 1966". 42 USC 2881.

AMENDMENT TO TITLE V—WORK EXPERIENCE PROGRAM

SEC. 25. Section 502 of the Economic Opportunity Act of 1964 is amended (1) by inserting after the first sentence thereof the following new sentence: "Workers in farm families with less than $1,200 net family income shall be considered unemployed for the purposes of this title.", and (2) by striking out of the last sentence the following: "for the fiscal year ending June 30, 1965,". 42 USC 2922.

AMENDMENTS TO TITLE VI—ADMINISTRATION AND COORDINATION

VISTA VOLUNTEERS—ASSIGNMENT; APPLICATION OF OTHER PROVISIONS AND FEDERAL LAWS

SEC. 26. (a) Subsection (a) of section 603 of the Economic Opportunity Act of 1964 is amended by striking out everything in paragraph (2) following the clause designation "(C)" and inserting in lieu thereof "in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act." 42 USC 2943.

(b) Subsection (d) of such section is amended to read as follows:

"(d)(1) Each volunteer 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 *Ante*, p. 973. 62 Stat. 749.

applicable with respect to such oath or affirmation; but, except as provided in paragraph (2) of this subsection, 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.

"(2) All volunteers during training and such volunteers as are assigned pursuant to paragraph (2) of subsection (a) 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 under the Classification Act of 1949."

78 Stat. 510.
42 USC 2716.

Post, p. 1111.

NATIONAL ADVISORY COUNCIL

42 USC 2945.

SEC. 27. Section 605 of the Economic Opportunity Act of 1964 is amended by striking "fourteen" in the second sentence and inserting in lieu thereof "twenty".

PROGRAMS FOR THE ELDERLY POOR

42 USC 2941-2949.

SEC. 28. Part A of title VI of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

"PROGRAMS FOR THE ELDERLY POOR

"SEC. 610. It is the intention of Congress that whenever feasible the special problems of the elderly poor shall be considered in the development, conduct, and administration of programs under this Act."

AFFIDAVITS

42 USC 2966.

SEC. 29. Title VI of the Economic Opportunity Act of 1964 is amended by striking out section 616 thereof and substituting a new section 616, as follows:

"TRANSFER OF FUNDS

"SEC. 616. Notwithstanding any limitation on appropriations under any title of this Act, not to exceed 10 per centum of the amount appropriated or allocated from any appropriation for the purpose of enabling the Director to carry out programs or activities under any such title may be transferred and used by the Director for the purpose of carrying out programs or activities under any other such title; but no such transfer shall result in increasing the amounts otherwise available under any title by more than 10 per centum."

AUTHORIZATION OF APPROPRIATIONS

42 USC 2761.

SEC. 30. (a)(1) The first sentence of section 131 of the Economic Opportunity Act of 1964 is amended by striking out "two" and inserting in lieu thereof "three".

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $412,500,000 for the fiscal year ending June 30, 1965, and the sum of $700,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30,

1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law."

(b) (1) The first sentence of section 221 of such Act is amended by striking out "two" and inserting in lieu thereof "three". 78 Stat. 524. 42 USC 2831.

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $340,000,000 for the fiscal year ending June 30, 1965, and the sum of $850,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law."

(c) (1) The first sentence of section 321 is amended by striking out "two" and inserting in lieu thereof "three". 42 USC 2871.

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $35,000,000 for the fiscal year ending June 30, 1965, and the sum of $55,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law."

(d) (1) The first sentence of section 503 of such Act is amended by striking out "two" and inserting in lieu thereof "three". 42 USC 2923.

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $150,000,000 for the fiscal year ending June 30, 1965, and the sum of $150,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law."

(e) (1) The first sentence of section 615 of such Act is amended by striking out "two" and inserting in lieu thereof "three". 42 USC 2965.

(2) The second sentence of such section is amended to read as follows: "For the purpose of carrying out this title (other than for purposes of making credits to the revolving fund established by section 606(a)), there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1965, and the sum of $30,000,000 for the fiscal year ending June 30, 1966; and for the fiscal year ending June 30, 1967, and the succeeding fiscal year, such sums may be appropriated as the Congress may hereafter authorize by law."

(f) Title VI of the Economic Opportunity Act of 1964 is further amended by inserting at the end thereof a new section as follows: 42 USC 2941-2966.

"DISTRIBUTION OF BENEFITS BETWEEN RURAL AND URBAN AREAS

"SEC. 617. The Director shall adopt appropriate administrative measures to assure that benefits of this Act will be distributed equitably between residents of rural and urban areas."

AMENDMENT TO NATIONAL DEFENSE EDUCATION ACT—MORATORIUM ON STUDENT LOANS TO VISTA VOLUNTEERS

SEC. 31. (a) Paragraph (2)(A) of section 205(b) of the National Defense Education Act of 1958 (20 U.S.C. 425(b)(2)(A)) is amended by striking out "or" before "(iii)" and by inserting before the proviso and 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 section 603 of the Economic Opportunity Act of 1964". 75 Stat. 623. 75 Stat. 612. 22 USC 2501 note. 78 Stat. 530. 42 USC 2943.

(b) 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 then obligee institution.

Approved October 9, 1965, 8:30 p.m.

Public Law 89-254

October 10, 1965
[H. R. 728]

AN ACT

To amend section 510 of the Merchant Marine Act, 1936.

Merchant Marine Act, 1936, amendments.
74 Stat. 312.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of subsection (i) of section 510 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1160(i)), is amended as follows:

Vessel exchange program, extension.

(1) By striking out "within five years from the date of enactment of this Act war-built vessels (which are defined for purposes of this subsection as oceangoing" and inserting in lieu thereof the following: "before July 5, 1970,".

(2) By striking out "during the period beginning September 3, 1939, and ending September 2, 1945)" and inserting in lieu thereof the following: "before September 3, 1945,".

(3) By inserting immediately before the words "owned by the United States" the following: "(which are defined for purposes of this subsection as oceangoing vessels of one thousand five hundred gross tons or over which were constructed or contracted for by the United States shipyards during the period beginning September 3, 1939, and ending September 2, 1945)".

(b) Paragraph (1) of subsection (i) of section 510 of the Merchant Marine Act, 1936, as amended, is amended to read as follows:

"(1) The traded-in vessel shall have been owned by a citizen or citizens of the United States, documented under the laws of the United States, and shall not have been operated with operating-differential subsidy under title VI of this Act by the applicant or any affiliate of the applicant for at least three years immediately prior to the date of the exchange."

49 Stat. 2001.
46 USC 1171-1183.

Valuation of vessels.

(c) Paragraph (2) of subsection (i) of section 510 of the Merchant Marine Act, 1936, as amended, is amended by inserting after the period at the end thereof the following: "The value of a vessel when traded out shall be calculated in the same manner as its value was determined when it was traded in, except that vessels traded in prior to October 1, 1960, shall be valued on the basis yielding the highest fair return to the Government commensurate with the purposes of this subsection. In each exchange of vessels under this subsection, the value of the vessel traded-in, unless based on scrap value, and the value of the vessel traded-out shall be calculated in the same manner."

Tanker vessels.

(d) Paragraph (9) of subsection (i) of section 510 of the Merchant Marine Act, 1936, as amended, is amended to read as follows:

"(9) Except where traded out for use exclusively in trade and commerce on the Great Lakes, including the Saint Lawrence River and Gulf, tanker vessels may be traded out under the provisions of this subsection only for major conversions into dry cargo carriers or liquid bulk carriers, including natural gas carriers but excluding bulk petroleum carriers."

National defense reserve fleet.

SEC. 2. Section 510 of the Merchant Marine Act, 1936 is further amended by adding at the end thereof the following new subsection:

"(j) Any vessel heretofore or hereafter acquired under this section, or otherwise acquired by the Secretary of Commerce under any other authority shall be placed in the national defense reserve fleet established under authority of section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and shall not be traded out or sold from such reserve fleet, except as provided for in subsections (g) and (i) of this section. This limitation shall not affect the rights of the Secretary of Commerce to dispose of a vessel as provided in other sections of this title or in titles VII or XI of this Act."

60 Stat. 49.

46 USC 1191, 1271.

Approved October 10, 1965.

Public Law 89-255

AN ACT

October 10, 1965
[S. 1065]

To authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes.

Great Falls property, Va.
Land exchange.

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 called the "Secretary") may accept title to, and administer in connection with the George Washington Memorial Parkway, pursuant to the Act of May 29, 1930 (ch. 354, 46 Stat. 482), as amended, the lands, and interests in lands, commonly known as the Great Falls property, more particularly described as follows, to wit:

All of that land in Fairfax County, Virginia, depicted on the drawing designated "NCP 117.1-471B," filed among the land records of National Capital Parks, said drawing being Potomac Electric Power Company's drawing numbered 77345-E of June 20, 1949, as revised by the National Capital Parks on October 14, 1960, which land is comprised of 521.292 acres shown on the drawing as area 1, 53.446 acres shown as area 3, and 208.899 acres shown as area 4 on said drawing, the aggregate of which is 783.637 acres.

SEC. 2. In exchange for the conveyance to the United States of the lands and interests in lands described in section 1 of this Act, the Secretary may convey to the Potomac Electric Power Company all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land situated in the county of Prince Georges, State of Maryland, depicted on the drawing designated NCP 123-375, dated October 17, 1960, filed among the land records of National Capital Parks, containing approximately 391 acres, less that land occupied by the reconstructed section of Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 3. The Secretary may convey to the county of Prince Georges, State of Maryland, all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land occupied by the reconstructed section of the Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

Fair market value.

SEC. 4. The Secretary shall consummate the exchange authorized by this Act on the basis of the fair market value of the properties. If the value of Federal properties does not approximately equal the value of privately owned properties, the Secretary may make up the difference by payment from donated funds or appropriated funds if donated funds are deficient: *Provided*, That not more than $1,000,000 may be appropriated for the acquisition of land under this Act.

Limitation.

SEC. 5. The Secretary of the Interior may accept title to, and administer in connection with the George Washington Memorial Parkway pursuant to the Act of May 29, 1930 (46 Stat. 482), as amended, approximately sixteen acres of land or interests therein that are partially surrounded by the property described in section 1 of this Act and that are now owned by the Fairfax County Park Authority, Commonwealth of Virginia. As consideration for such conveyance, the Secretary may enter into an agreement with the authority which permits the authority to operate, subject to such terms and conditions as the Secretary deems desirable, public parking facilities on such lands

or on the lands acquired pursuant to section 1 of this Act, including the privilege of collecting reasonable parking fees, until the authority has recovered the fair market value, as determined by the Secretary, of the approximately sixteen acres of land. The agreement shall provide that any parking fees collected by the authority shall be approved by the Secretary.

Approved October 10, 1965.

Public Law 89-256

October 15, 1965
[H. J. Res. 695]

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1966, and for other purposes.

Continuing appropriations, 1966.
Ante, p. 896.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution of September 30, 1965 (Public Law 89-221), is hereby amended by striking out "October 15, 1965" and inserting in lieu thereof "October 23, 1965".

Approved October 15, 1965.

Public Law 89-257

October 19, 1965
[H. R. 3045]

AN ACT

To authorize certain members of the Armed Forces to accept and wear decorations of certain foreign nations.

Armed Forces.
Foreign decorations, acceptance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to such regulations as may be prescribed by the Secretaries of the Army, Navy, Air Force, and Treasury, members and former members of the Armed Forces of the United States holding any office of profit or trust under the United States, who have served, subsequent to February 28, 1961, in Vietnam and such of the waters or lands adjacent thereto as may be designated by the respective Secretaries, are authorized, during any period in which members of the Armed Forces of the United States are serving with friendly foreign forces engaged in an armed conflict in Vietnam against an opposing armed force in which the United States is not a belligerent party, or during any period of hostilities in Vietnam in which the United States may be engaged, and for one year thereafter, to accept from the Government of the Republic of Vietnam or from the government of any other foreign nation whose personnel are serving in Vietnam in the cause of the Government of the Republic of Vietnam such decorations, orders, and emblems as may be tendered them for such service, and which are conferred by such governments upon members of their own military forces. For purposes of this Act the consent of Congress required in accordance with clause 8 of section 9, article I of the Constitution is hereby granted. Subject to such regulations as may be prescribed by the Secretary concerned, any such member or former member holding any office of profit or trust under the United States is authorized to wear any decoration, order, or emblem accepted pursuant to authority contained in this Act.

Consent of Congress.

Approved October 19, 1965.

Public Law 89-258

AN ACT

October 19, 1965
[S. 2232]

To amend the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf", approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, 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 entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf", approved September 2, 1958, as amended (42 U.S.C. 2491 et seq.), is hereby amended to read as follows:

Educational media for the deaf, additional loan service.

72 Stat. 1742; 76 Stat. 654.

"That the objectives of this Act are—

"(a) to promote the general welfare of deaf persons by (1) bringing to such persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons, (2) providing through these films, enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and (3) providing a wholesome and rewarding experience which deaf persons may share together; and

"(b) to promote the educational advancement of deaf persons by (1) carrying on research in the use of educational media for the deaf, (2) producing and distributing educational media for the deaf and for parents of deaf children and other persons who are directly involved in work for the advancement of the deaf or who are actual or potential employers of the deaf, and (3) training persons in the use of educational media for the instruction of the deaf.

Definitions.

"SEC. 2. As used in this Act—

"(1) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(2) The term 'United States' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

"(3) The term 'deaf person' includes a person whose hearing is severely impaired.

"SEC. 3. (a) In order to carry out the objectives of this Act, the Secretary shall establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for nonprofit purposes to deaf persons, parents of deaf persons, and other persons directly involved in activities for the advancement of the deaf in accordance with regulations promulgated by the Secretary.

Administrative authority.

"(b) In carrying out the provisions of this Act, the Secretary shall have authority to—

"(1) acquire films (or rights thereto) and other educational media by purchase, lease, or gift;

"(2) acquire by lease or purchase equipment necessary to the administration of this Act;

"(3) provide for the captioning of films;

"(4) provide for the distribution of captioned films and other educational media and equipment through State schools for the deaf and such other agencies as the Secretary may deem appropriate to serve as local or regional centers for such distribution;

"(5) provide for the conduct of research in the use of educational and training films and other educational media for the deaf, for the production and distribution of educational and train-

ing films and other educational media for the deaf and the training of persons in the use of such films and media;

"(6) utilize the facilities and services of other governmental agencies; and

"(7) accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

Appropriation.

"SEC. 4. There are hereby authorized to be appropriated not to exceed $3,000,000 annually for each of the fiscal years 1966 and 1967, $5,000,000 annually for each of the fiscal years 1968 and 1969, and $7,000,000 annually for fiscal year 1970 and each succeeding fiscal year thereafter.

National Advisory Committee on Education of the Deaf.
Establishment.

"SEC. 5. (a) (1) For the purpose of advising and assisting the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the 'Secretary') with respect to the education of the deaf, there is hereby created a National Advisory Committee on Education of the Deaf, which shall consist of twelve persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws.

"(2) The membership of the Advisory Committee shall include educators of the deaf, persons interested in education of the deaf, educators of the hearing, and deaf individuals.

"(3) The Secretary shall from time to time designate one of the members of the Advisory Committee to serve as Chairman of the Advisory Committee.

Term of office.

"(4) Each member of the Advisory Committee shall serve for a term of four years, except that 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 except that the terms of the office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, three at the end of the first year, three at the end of the second year, three at the end of the third year, and three at the end of the fourth year after the date of appointment.

Restriction.

"(5) A member of the Advisory Committee shall not be eligible to serve continuously for more than one term.

Functions.

"(b) The Advisory Committee shall advise the Secretary concerning the carrying out of existing and the formulating of new or modified programs with respect to the education of the deaf. In carrying out its functions, the Advisory Committee shall (A) make recommendations to the Secretary for the development of a system for gathering information on a periodic basis in order to facilitate the assessment of progress and identification of problems in the education of the deaf; (B) identify emerging needs respecting the education of the deaf, and suggest innovations which give promise of meeting such needs and of otherwise improving the educational prospects of deaf individuals; (C) suggest promising areas of inquiry to give direction to the research efforts of the Federal Government in improving the education of the deaf; and (D) make such other recommendations for administrative action or legislative proposals as may be appropriate.

Additional advisory personnel.

"(c) The Secretary 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.

Compensation.

"(d) Members of the Advisory Committee, and advisory or technical personnel appointed pursuant to subsection (c), while attending meetings or conferences of the Advisory Committee or otherwise serving on business of the Advisory Committee, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding

$100 per day including travel time and while 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 5 of the Administrative Expenses Act (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

60 Stat. 808.
75 Stat. 339, 340.

"(e) The Advisory Committee shall meet at the request of the Secretary, but at least semiannually."

Approved October 19, 1965.

Public Law 89-259

October 19, 1965
[S. 2273]

AN ACT

To render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes.

Cultural objects.
Exemption from seizure.
Presidential determination.
Publication in Federal Register.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) whenever any work of art or other object of cultural significance is imported into the United States from any foreign country, pursuant to an agreement entered into between the foreign owner or custodian thereof and the United States or one or more cultural or educational institutions within the United States providing for the temporary exhibition or display thereof within the United States at any cultural exhibition, assembly, activity, or festival administered, operated, or sponsored, without profit, by any such cultural or educational institution, no court of the United States, any State, the District of Columbia, or any territory or possession of the United States may issue or enforce any judicial process, or enter any judgment, decree, or order, for the purpose or having the effect of depriving such institution, or any carrier engaged in transporting such work or object within the United States, of custody or control of such object if before the importation of such object the President or his designee has determined that such object is of cultural significance and that the temporary exhibition or display thereof within the United States is in the national interest, and a notice to that effect has been published in the Federal Register.

(b) If in any judicial proceeding in any such court any such process, judgment, decree, or order is sought, issued, or entered, the United States attorney for the judicial district within which such proceeding is pending shall be entitled as of right to intervene as a party to that proceeding, and upon request made by either the institution adversely affected, or upon direction by the Attorney General if the United States is adversely affected, shall apply to such court for the denial, quashing, or vacating thereof.

(c) Nothing contained in this Act shall preclude (1) any judicial action for or in aid of the enforcement of the terms of any such agreement or the enforcement of the obligation of any carrier under any contract for the transportation of any such object of cultural significance; or (2) the institution or prosecution by or on behalf of any such institution or the United States of any action for or in aid of the fulfillment of any obligation assumed by such institution or the United States pursuant to any such agreement.

Approved October 19, 1965.

49-850 O-66—65

Public Law 89-260

October 19, 1965
[S. J. Res. 69]

JOINT RESOLUTION

To authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes.

Whereas the Library of Congress has been critically in need of an additional building for several years and in 1958 submitted to the Joint Committee on the Library justification in support thereof, and the Architect of the Capitol, pursuant to statutory authorization set forth in Public Law 86-469, May 14, 1960, and the appropriation of funds by Public Law 86-628, July 12, 1960, and with the approval of the Joint Committee on the Library, undertook the preparation of preliminary plans and estimates of cost for an additional Library of Congress building of two million square feet, net area, to be constructed on four squares east of the Library Annex and to provide for the Library's growth for thirty-five years after 1960;

74 Stat. 132.
2 USC 141 note.
74 Stat. 457.

Whereas the James Madison Memorial Commission was established by Act of Congress of April 8, 1960, "for the purpose of considering and formulating plans for the design, construction, and location of a permanent memorial to James Madison in the city of Washington, District of Columbia or its immediate environs", and, pursuant to said Act, planned and recommended a Madison Memorial Research Library in square 732 which would have been limited to a Madison Memorial Hall and facilities for research by scholars and other experts with an underground annex consisting of three floors in which could be stored the papers of the twenty-three Presidents of the United States and other valuable documents now in the Library of Congress which would be made available for research in the memorial library;

74 Stat. 37.

Whereas the House Office Building Commission's jurisdiction over square 732, which is owned by the United States, and the said Commission's approval of the Madison Memorial Commission proposal for a Madison Memorial Research Library to be constructed on square 732 resulted in redirecting the preparation of preliminary plans and estimates of cost for an additional Library of Congress building to include, as a part of the Library's building program, the proposed Madison Memorial Research Library and underground annex, both to be administered by the Librarian of Congress. Such redirection of the Library's building program as developed and reported to the Joint Committee on the Library in 1961 would have provided about 24 per centum of the Library's projected new space in the memorial and underground annex and the remaining 76 per centum on two squares east of the annex, in place of the initial plan for a single structure on four squares east of the annex;

Whereas the provision of an additional Library of Congress building is a dire necessity and should be undertaken without further delay and square 732, although limited to about 85 per centum of the space sought in an additional Library of Congress building, is a desirable location for such building, has been cleared of all structures, and would present no delay to building construction;

Whereas the construction of a third Library building in square 732 would render unnecessary at this time the acquisition and use of residential blocks east of the present Library Annex for a Library building; and

Whereas the designation of the Library of Congress third building as the Library of Congress James Madison Memorial Building and the inclusion of a Madison Memorial Hall would memorialize Madison in such a way as to bring to the attention of the American people and particularly students who come to Washington by the hundreds of thousands each year, the principles of government conceived by Madison which are embodied in the Constitution and the Bill of Rights: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Architect of the Capitol under the direction jointly of the House Office Building Commission, the Senate Office Building Commission, and the Joint Committee on the Library, after consultation with a committee designated by the American Institute of Architects, is authorized and directed to construct (including, but not limited to, the preparation of all necessary designs, plans, and specifications) in square 732 in the District of Columbia a third Library of Congress fireproof building, which shall be known as the Library of Congress James Madison Memorial Building. The design of such building shall include a Madison Memorial Hall and shall be in keeping with the prevailing architecture of the Federal buildings on Capitol Hill. The Madison Memorial Hall shall be developed in consultation with the James Madison Memorial Commission.

Library of Congress James Madison Memorial Building.
Construction authorization; designation.

(b) In carrying out his authority under this joint resolution, the Architect of the Capitol, under the direction jointly of the House Office Building Commission, the Senate Office Building Commission, and the Joint Committee on the Library, is authorized (1) to provide for such equipment, such connections with the Capitol Power Plant and other utilities, such access facilities over or under public streets, such changes in the present Library of Congress buildings, such changes in or additions to the present tunnels, and such other appurtenant facilities, as may be necessary, and (2) to do such landscaping as may be necessary by reason of the construction authorized by this joint resolution.

SEC. 2. The structural and mechanical care of the building authorized by this joint resolution and the care of the surrounding grounds shall be under the Architect of the Capitol.

SEC. 3. There is hereby authorized to be appropriated not to exceed $75,000,000 to construct the building authorized by this joint resolution (including the preparation of all necessary designs, plans, and specifications).

Appropriations.

There is also authorized to be appropriated not exceeding $10,000 to pay the expenses of the James Madison Memorial Commission.

Approved October 19, 1965.

Public Law 89-261

October 19, 1965
[H. R. 6165]

AN ACT

To repeal section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 165 of the United States Revised Statutes (5 U.S.C. 33) is hereby repealed.

Women clerkships.

Approved October 19, 1965.

Public Law 89-262

October 19, 1965
[H. R. 9336]

AN ACT

To amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba.

Cuba.
Claims of U.S. nationals.
78 Stat. 1110.

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 by striking out "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

SEC. 2. Section 503(a) of such Act (22 U.S.C. 1643b(a)) is amended by striking out "arising out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or".

SEC. 3. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by adding a new sentence at the end thereof as follows: "A claim under section 503(a) of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico shall be considered, only when such debt or other obligation is a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba."

SEC. 4. Section 506 of such Act (22 U.S.C. 1643e) is amended by striking out ": *Provided*, That the deduction of such amounts shall not be construed as divesting the United States of any rights against the Government of Cuba for the amounts so deducted".

SEC. 5. Section 511 of such Act (22 U.S.C. 1643j) is amended to read as follows:

"APPROPRIATIONS

"SEC. 511. There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to pay its administrative expenses incurred in carrying out its functions under this title."

Approved October 19, 1965.

Public Law 89-263

October 19, 1965
[H. R. 7329]

AN ACT

To provide for the conveyance of certain real property of the United States to the city of San Diego, California.

San Diego, Calif.
Conveyance.

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 shall convey, at the estimated fair market value, to the city of San Diego, California, all right, title, and interest of the United States in and to the real property comprising a portion (approximately sixty-seven one-hundredths of an acre) of the Navy Capehart quarters at the Admiral Hartman site in San Diego, California, the exact legal description of which property shall be determined by the Administrator.

Approved October 19, 1965.

Public Law 89-264

AN ACT

October 19, 1965
[H. R. 10234]

To amend section 1085 of title 10, United States Code, to eliminate the reimbursement procedure required among the medical facilities of the armed forces under the jurisdiction of the military departments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1085 of title 10, United States Code, is amended to read as follows:

Armed Forces.
72 Stat. 1450.

"§ 1085. Medical and dental care from another executive department: reimbursement

"If a member or former member of an armed force under the jurisdiction of a military department, or his dependent receives inpatient medical or dental care in a facility under the jurisdiction of the Secretary of Health, Education, and Welfare, or if a member or former member of a uniformed service not under the jurisdiction of a military department, or his dependent, receives inpatient medical or dental care in a facility of an armed force under the jurisdiction of a military department, the appropriation for maintaining and operating the facility furnishing that care shall be reimbursed at rates established by the Bureau of the Budget to reflect the average cost of providing such care."

SEC. 2. The analysis of chapter 55 of title 10, United States Code, is amended by striking out the following item:

"1085. Medical and dental care from another uniformed service: reimbursement."

and inserting the following item in place thereof:

"1085. Medical and dental care from another executive department: reimbursement."

Approved October 19, 1965.

Public Law 89-265

AN ACT

October 19, 1965
[H. R. 5665]

To authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That under regulations to be prescribed by the Secretary of Defense and the Secretary of the Treasury in their respective areas of responsibility, an officer of the Army, Navy, Air Force, Marine Corps, or Coast Guard accountable for public money may advance funds to cashiers, disbursing officers, or members of an armed force of a friendly foreign nation for the purpose of paying pay and allowances to those members or enabling that armed force to purchase necessary supplies and services. An advance may not be made under this Act unless the President has entered into an agreement with the nation concerned which, in addition to any other provision that he considers necessary to carry out this Act and to safeguard the interests of the United States, shall require the United States to be reimbursed for any funds so advanced and shall require the appropriate authority of that nation to advance funds to members of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States on a reciprocal basis.

Armed Forces.
Disbursements to armed forces of friendly nations.

Restriction.

Approved October 19, 1965.

Public Law 89-266

October 19, 1965
[S. 1856]

AN ACT

To authorize the Secretary of the Navy to sell uniform clothing to the Naval Sea Cadet Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 647 of title 10, United States Code, is amended—

70A Stat. 465.

(1) by inserting the following new section after section 7541:

"§ 7541a. Uniform clothing: sale to Naval Sea Cadet Corps

63 Stat. 389.

"Subject to regulations under section 486 of title 40, the Secretary of the Navy, under regulations prescribed by him, may sell any item of enlisted naval uniform clothing that may be spared, at a price representing its fair value, to the Naval Sea Cadet Corps for the sea cadets and to any Federal or State maritime academy having a department of naval science for the maritime cadets and midshipmen. The cost of transportation and delivery of items sold under this section shall be charged to the Naval Sea Cadet Corps and to such Federal and State maritime academies."; and

(2) by inserting the following new item in the analysis:

"7541a. Uniform clothing: sale to Naval Sea Cadet Corps."

Approved October 19, 1965.

Public Law 89-267

October 19, 1965
[H. R. 724]

AN ACT

To authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General.

Canal Zone. Transfer of prisoners. 66 Stat. 68. "State."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5003 of title 18, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The term 'State' as used in this section includes any State, territory, or possession of the United States, and the Canal Zone."

76A Stat. 556.

SEC. 2. (a) Subsection (b) of section 6503 of title 6, Canal Zone Code, is amended by striking out "this section" and inserting in lieu thereof "subsection (a) of this section".

(b) Section 6503 of title 6, Canal Zone Code, is further amended by adding at the end thereof the following new subsection:

"(c) Pursuant to the provisions of section 5003 of title 18, United States Code, the Governor may contract with the Attorney General for the transfer to the custody of the Attorney General of prisoners who are citizens of the United States."

Approved October 19, 1965.

Public Law 89-268

October 19, 1965
[S. 903]

AN ACT

To amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers.

Communications Act of 1934, amendment. 48 Stat. 1083.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303(q) of the Communications Act of 1934 (47 U.S.C. 303(q)) is amended by inserting after the period at the end thereof the following: "The

permittee or licensee shall maintain the painting and/or illumination of the tower as prescribed by the Commission pursuant to this section. In the event that the tower ceases to be licensed by the Commission for the transmission of radio energy, the owner of the tower shall maintain the prescribed painting and/or illumination of such tower until it is dismantled, and the Commission may require the owner to dismantle and remove the tower when the Administrator of the Federal Aviation Agency determines that there is a reasonable possibility that it may constitute a menace to air navigation."

Approved October 19, 1965.

Public Law 89-269

AN ACT

October 19, 1965
[S. 1576]

To amend the Act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, 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 of May 17, 1954 (68 Stat. 98), entitled "An Act to provide for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes," as amended by the Act of September 6, 1958 (72 Stat. 1794), is hereby further amended by striking the figure "$17,250,000" from section 4 thereof and inserting in lieu thereof the figure "$23,250,000."

Jefferson National Expansion Memorial, Mo.

16 USC 450jj note.

Approved October 19, 1965.

Public Law 89-270

AN ACT

October 19, 1965
[S. 1689]

To amend paragraph (a) of the Act of March 4, 1913, as amended by the Act of January 31, 1931 (16 U.S.C. 502).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (a) of the Act of March 4, 1913, as amended by the Act of January 31, 1931 (16 U.S.C. 502), is amended to read as follows: "(a) To hire or rent property from employees of the Forest Service for the use of that Service, whenever the public interest will be promoted thereby. As soon as practicable after the end of each fiscal year the Secretary shall transmit to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a statement of rentals under the authority of this paragraph during the fiscal year."

Forest Service employees.
Hire or rent of property.
46 Stat. 1052.

Report to congressional committees.

Approved October 19, 1965.

Public Law 89-271

October 19, 1965
[H. R. 9975]

AN ACT

To authorize the shipment, at Government expense, to, from, and within the United States and between oversea areas of privately owned vehicles of deceased or missing personnel, and for other purposes.

Missing Persons Act, amendment.

71 Stat. 492.

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 12 of the Missing Persons Act, as amended (50 U.S.C. App. 1012), is amended by striking the words "in those cases where the vehicle is located outside the continental limits of the United States or in Alaska".

Approved October 19, 1965.

Public Law 89-272

October 20, 1965
[S. 306]

AN ACT

To amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes.

Clean Air Act, amendment.

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

TITLE I—AMENDMENTS TO CLEAN AIR ACT

77 Stat. 392.
42 USC 1857 note.

SEC. 101. The Clean Air Act is amended (1) by inserting immediately above the heading of section 1: "TITLE I—AIR POLLUTION PREVENTION AND CONTROL"; (2) by changing the words "this Act" wherever they appear in sections 1 through 7 to "this title"; (3) by redesignating sections 1 through 7 and references thereto as sections 101 through 107; (4) by redesignating sections 8 through 14 and references thereto as sections 301 through 307; (5) by inserting immediately above the heading of the so redesignated section 301: "TITLE III—GENERAL"; (6) by striking out subsection (a) of the so redesignated section 306 and striking out the letter (b) at the beginning of subsection (b) in the so redesignated section 306; (7) by striking out "this Act" in the so redesignated section 306 and inserting in lieu thereof "title I"; and (8) by inserting after the so redesignated section 107 and before the heading of such title III the following new title:

"TITLE II—CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES

"SHORT TITLE

Motor Vehicle Air Pollution Control Act.

"SEC. 201. This title may be cited as the 'Motor Vehicle Air Pollution Control Act'.

"ESTABLISHMENT OF STANDARDS

"SEC. 202. (a) The Secretary shall by regulation, giving appropriate consideration to technological feasibility and economic costs, prescribe as soon as practicable standards, applicable to the emission of any kind of substance, from any class or classes of new motor vehicles or new motor vehicle engines, which in his judgment cause or contribute to, or are likely to cause or to contribute to, air pollution which endangers the health or welfare of any persons, and such standards shall apply to such vehicles or engines whether they are designed

as complete systems or incorporate other devices to prevent or control such pollution.

"(b) Any regulations initially prescribed under this section, and amendments thereto, with respect to any class of new motor vehicles or new motor vehicle engines shall become effective on the effective date specified in the order promulgating such regulations which date shall be determined by the Secretary after consideration of the period reasonably necessary for industry compliance. Effective date.

"PROHIBITED ACTS

"SEC. 203. (a) The following acts and the causing thereof are prohibited—

"(1) in the case of a manufacturer of new motor vehicles or new motor vehicle engines for distribution in commerce, the manufacture for sale, the sale, or the offering for sale, or the introduction or delivery for introduction into commerce, or the importation into the United States for sale or resale, of any new motor vehicle or new motor vehicle engine, manufactured after the effective date of regulations under this title which are applicable to such vehicle or engine unless it is in conformity with regulations prescribed under section 202 (except as provided in subsection (b));

"(2) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information, required under section 207; or

"(3) for any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under this title prior to its sale and delivery to the ultimate purchaser.

"(b)(1) The Secretary may exempt any new motor vehicle or new motor vehicle engine, or class thereof, from subsection (a), upon such terms and conditions as he may find necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security. Exemption authority.

"(2) A new motor vehicle or new motor vehicle engine offered for importation by a manufacturer in violation of subsection (a) shall be refused admission into the United States, but the Secretary of the Treasury and the Secretary of Health, Education, and Welfare may, by joint regulation, provide for deferring final determination as to admission and authorizing the delivery of such a motor vehicle or engine offered for import to the owner or consignee thereof 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 engine will be brought into conformity with the standards, requirements, and limitations applicable to it under this title. The Secretary of the Treasury shall, if a motor vehicle or engine is finally refused admission under this paragraph, cause disposition thereof in accordance with the customs laws unless it is exported, under regulations prescribed by such Secretary, within ninety days of the date of notice of such refusal or such additional time as may be permitted pursuant to such regulations, except that disposition in accordance with the customs laws may not be made in such manner as may result, directly or indirectly, in the sale, to the ultimate consumer, of a new motor vehicle or new motor vehicle engine that fails to comply with applicable standards of the Secretary of Health, Education, and Welfare under this title. Importation of vehicles.

"(3) A new motor vehicle or new motor vehicle engine intended solely for export, and so labeled or tagged on the outside of the container and on the vehicle or engine itself, shall not be subject to the provisions of subsection (a). Exportation of vehicles.

"INJUNCTION PROCEEDINGS

"SEC. 204. (a) The district courts of the United States shall have jurisdiction to restrain violations of paragraph (1), (2), or (3) of section 203(a).

"(b) Actions to restrain such violations shall be brought by and in the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"PENALTIES

"SEC. 205. Any person who violates paragraph (1), (2), or (3) of section 203(a) shall be subject to a fine of not more than $1,000. Such violation with respect to section 203(a)(1) and 203(a)(3) shall constitute a separate offense with respect to each new motor vehicle or new motor vehicle engine.

"CERTIFICATION

"SEC. 206. (a) Upon application of the manufacturer, the Secretary shall test, or require to be tested, in such manner as he deems appropriate, any new motor vehicle or new motor vehicle engine submitted by such manufacturer to determine whether such vehicle or engine conforms with the regulations prescribed under section 202 of this title. If such vehicle or engine conforms to such regulations the Secretary shall issue a certificate of conformity, upon such terms, and for such period not less than one year, as he may prescribe.

"(b) Any new motor vehicle or any motor vehicle engine sold by such manufacturer which is in all material respects substantially the same construction as the test vehicle or engine for which a certificate has been issued under subsection (a), shall for the purposes of this Act be deemed to be in conformity with the regulations issued under section 202 of this title.

"RECORDS AND REPORTS

"SEC. 207. (a) Every manufacturer 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 regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee at reasonable times, to have access to and copy such records.

Confidential information.

"(b) All information reported or otherwise obtained by the Secretary or his representative pursuant to subsection (a), 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 such section 1905, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. 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.

"DEFINITIONS FOR TITLE II

"SEC. 208. As used in this title—

"(1) The term 'manufacturer' means any person engaged in the manufacturing or assembling of new motor vehicles or new motor vehicle engines, or importing such vehicles or engines for resale, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles or new motor vehicle

engines, but shall not include any dealer with respect to new motor vehicles or new motor vehicle engines received by him in commerce.

"(2) The term 'motor vehicle' means any self-propelled vehicle designed for transporting persons or property on a street or highway.

"(3) The term 'new motor vehicle' means a motor vehicle the equitable or legal title to which has never been transferred to an ultimate purchaser; and the term 'new motor vehicle engine' means an engine in a new motor vehicle or a motor vehicle engine the equitable or legal title to which has never been transferred to the ultimate purchaser.

"(4) The term 'dealer' means any person who is engaged in the sale or the distribution of new motor vehicles or new motor vehicle engines to the ultimate purchaser.

"(5) The term 'ultimate purchaser' means, with respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases such new motor vehicle or new engine for purposes other than resale.

"(6) The term 'commerce' means (A) commerce between any place in any State and any place outside thereof; and (B) commerce wholly within the District of Columbia.

"APPROPRIATIONS

"SEC. 209. There is hereby authorized to be appropriated to carry out this title II, not to exceed $470,000 for the fiscal year ending June 30, 1966, not to exceed $845,000 for the fiscal year ending June 30, 1967, not to exceed $1,195,000 for the fiscal year ending June 30, 1968, and not to exceed $1,470,000 for the fiscal year ending June 30, 1969."

SEC. 102. (a) Paragraph (1) of subsection (c) of the redesignated section 105 of the Clean Air Act (which relates to abatement of air pollution) is amended by adding at the end thereof the following new subparagraph:

77 Stat. 396.
42 USC 1857d.

"(D) 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) which endangers the health or welfare of persons in a foreign country is occurring, or whenever the Secretary of State requests him to do so with respect to such pollution which the Secretary of State alleges is of such a nature, the Secretary of Health, Education, and Welfare shall give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located, and to the interstate air pollution control agency, if any, in the jurisdictional area of which such municipality is located, and shall call promptly a conference of such agency or agencies. The Secretary 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 air pollution control agency. This subparagraph 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 or control of air pollution occurring in that country as is given that country by this subparagraph."

Foreign countries endangered by air pollution.

Restriction.

(b) So much of section (f) of such redesignated section 105 as precedes clause (2) of such subsection is amended to read as follows:

"(f) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—

Judicial proceedings.

"(1) in the case of pollution of air which is endangering the health or welfare of persons (A) in a State other than that in which the discharge or discharges (causing or contributing to

such pollution) originate, or (B) in a foreign country which has participated in a conference called under subparagraph (D) of subsection (c) of this section and in all proceedings under this section resulting from such conference, may request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution, and".

Ante, p. 995.

77 Stat. 394.
42 USC 1857b.

SEC. 103. Redesignated section 103 of the Clean Air Act (which relates to research, investigations, and training) is amended—

(1) by striking out the word "and" at the end of paragraphs (1), (2), and (3) of subsection (a) thereof;

(2) by striking out the period at the end of paragraph (4) of subsection (a) thereof and inserting in lieu thereof "; and";

(3) by adding after paragraph (4) of subsection (a) thereof the following new paragraph (5):

Research programs.

"(5) conduct and accelerate research programs (A) relating to the means of controlling hydrocarbon emissions resulting from the evaporation of gasoline in carburetors and fuel tanks, and the means of controlling emissions of oxides of nitrogen and aldehydes from gasoline-powered or diesel-powered vehicles, and to carry out such research the Secretary shall consult with the technical committee established under section 106 of this Act, and for research concerning diesel-powered vehicles he may add to such committee such representatives from the diesel-powered vehicle industry as he deems appropriate; and (B) directed toward the development of improved low-cost techniques designed to reduce emissions of oxides of sulfur produced by the combustion of sulfur-containing fuels."; and

42 USC 1857e.

(4) by adding at the end of such section the following new subsections:

Construction of facilities, etc.

"(d) The Secretary is authorized to construct such facilities and staff and equip them as he determines to be necessary to carry out his functions under this Act.

Potential air pollution problems.

"(e) If, in the judgment of the Secretary, an air pollution problem of substantial significance may result from discharge or discharges into the atmosphere, he may call a conference concerning this potential air pollution problem to be held in or near one or more of the places where such discharge or discharges are occurring or will occur. All interested persons shall be given an opportunity to be heard at such conference, either orally or in writing, and shall be permitted to appear in person or by representative in accordance with procedures prescribed by the Secretary. If the Secretary finds, on the basis of the evidence presented at such conference, that the discharge or discharges if permitted to take place or continue are likely to cause or contribute to air pollution subject to abatement under section 105(a), he shall send such findings, together with recommendations concerning the measures which he finds reasonable and suitable to prevent such pollution, to the person or persons whose actions will result in the discharge or discharges involved; to air pollution agencies of the State or States and of the municipality or municipalities where such discharge or discharges will originate; and to the interstate air pollution control agency, if any, in the jurisdictional area of which any such municipality is located. Such findings and recommendations shall be advisory only, but shall be admitted, together with the record of the conference, as part of the record of proceedings under subsections (c), (d), and (e) of section 105."

42 USC 1857d.

TITLE II—SOLID WASTE DISPOSAL

SHORT TITLE

SEC. 201. This title (hereinafter referred to as "this Act") may be cited as the "Solid Waste Disposal Act". "Solid Waste Disposal Act."

FINDINGS AND PURPOSES

SEC. 202. (a) The Congress finds—

(1) that the continuing technological progress and improvement in methods of manufacture, packaging, and marketing of consumer products has resulted in an ever-mounting increase, and in a change in the characteristics, of the mass of material discarded by the purchaser of such products;

(2) that the economic and population growth of our Nation, and the improvements in the standard of living enjoyed by our population, have required increased industrial production to meet our needs, and have made necessary the demolition of old buildings, the construction of new buildings, and the provision of highways and other avenues of transportation, which, together with related industrial, commercial, and agricultural operations, have resulted in a rising tide of scrap, discarded, and waste materials;

(3) that the continuing concentration of our population in expanding metropolitan and other urban areas has presented these communities with serious financial, management, intergovernmental, and technical problems in the disposal of solid wastes resulting from the industrial, commercial, domestic, and other activities carried on in such areas;

(4) that inefficient and improper methods of disposal of solid wastes result in scenic blights, create serious hazards to the public health, including pollution of air and water resources, accident hazards, and increase in rodent and insect vectors of disease, have an adverse effect on land values, create public nuisances, otherwise interfere with community life and development;

(5) that the failure or inability to salvage and reuse such materials economically results in the unnecessary waste and depletion of our natural resources; and

(6) that while the collection and disposal of solid wastes should continue to be primarily the function of State, regional, and local agencies, the problems of waste disposal as set forth above have become a matter national in scope and in concern and necessitate Federal action through financial and technical assistance and leadership in the development, demonstration, and application of new and improved methods and processes to reduce the amount of waste and unsalvageable materials and to provide for proper and economical solid-waste disposal practices.

(b) The purposes of this Act therefore are—

(1) to initiate and accelerate a national research and development program for new and improved methods of proper and economic solid-waste disposal, including studies directed toward the conservation of natural resources by reducing the amount of waste and unsalvageable materials and by recovery and utilization of potential resources in solid wastes; and

(2) to provide technical and financial assistance to State and local governments and interstate agencies in the planning, development, and conduct of solid-waste disposal programs.

DEFINITIONS

SEC. 203. When used in this Act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare; except that such term means the Secretary of the Interior with respect to problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production, or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities.

(2) The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(3) The term "interstate agency" means an agency of two or more municipalities in different States, or an agency established by two or more States, with authority to provide for the disposal of solid wastes and serving two or more municipalities located in different States.

(4) The term "solid waste" means garbage, refuse, and other discarded solid materials, including solid-waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

(5) The term "solid-waste disposal" means the collection, storage, treatment, utilization, processing, or final disposal of solid waste.

(6) The term "construction", with respect to any project of construction under this Act, means (A) the erection or building of new structures and acquisition of lands or interests therein, or the acquisition, replacement, expansion, remodeling, alteration, modernization, or extension of existing structures, and (B) the acquisition and installation of initial equipment of, or required in connection with, new or newly acquired structures or the expanded, remodeled, altered, modernized or extended part of existing structures (including trucks and other motor vehicles, and tractors, cranes, and other machinery) necessary for the proper utilization and operation of the facility after completion of the project; and includes preliminary planning to determine the economic and engineering feasibility and the public health and safety aspects of the project, the engineering, architectural, legal, fiscal, and economic investigations and studies, and any surveys, designs, plans, working drawings, specifications, and other action necessary for the carrying out of the project, and (C) the inspection and supervision of the process of carrying out the project to completion.

RESEARCH, DEMONSTRATIONS, TRAINING, AND OTHER ACTIVITIES

SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the operation and financing of solid-waste disposal programs, the development and application of new and improved methods of solid-waste disposal (including devices and facilities therefor),

and the reduction of the amount of such waste and unsalvageable waste materials.

(b) In carrying out the provisions of the preceding subsection, the Secretary is authorized to—

(1) collect and make available, through publications and other appropriate means, the results of, and other information pertaining to, such research and other activities, including appropriate recommendations in connection therewith;

(2) cooperate with public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and the conduct of such research and other activities; and

(3) make grants-in-aid to public or private agencies and institutions and to individuals for research, training projects, surveys, and demonstrations (including construction of facilities), and provide for the conduct of research, training, surveys, and demonstrations by contract with public or private agencies and institutions and with individuals; and such contracts for research or demonstrations or both (including contracts for construction) may be made in accordance with and subject to the limitations provided with respect to research contracts of the military departments in title 10, United States Code, section 2353, except that the determination, approval, and certification required thereby shall be made by the Secretary. 70A Stat. 134.

(c) Any grant, agreement, or contract made or entered into under this section shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such grant, agreement, or contract will be made readily available on fair and equitable terms to industries utilizing methods of solid-waste disposal and industries engaging in furnishing devices, facilities, equipment, and supplies to be used in connection with solid-waste disposal. In carrying out the provisions of this section, the Secretary and each department, agency, and officer of the Federal Government having functions or duties under this Act shall make use of and adhere to the Statement of Government Patent Policy which was promulgated by the President in his memorandum of October 10, 1963. (3 CFR, 1963 Supp., p. 238.)

(d) Notwithstanding any other provision of this Act, the United States shall not make any grant to pay more than two-thirds of the cost of construction of any facility under this Act. Limitation.

INTERSTATE AND INTERLOCAL COOPERATION

SEC. 205. The Secretary shall encourage cooperative activities by the States and local governments in connection with solid-waste disposal programs; encourage, where practicable, interstate, interlocal, and regional planning for, and the conduct of, interstate, interlocal, and regional solid-waste disposal programs; and encourage the enactment of improved and, so far as practicable, uniform State and local laws governing solid-waste disposal.

GRANTS FOR STATE AND INTERSTATE PLANNING

SEC. 206. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State and interstate agencies of not to exceed 50 per centum of the cost of making surveys of solid-waste disposal practices and problems within the jurisdictional

areas of such States or agencies, and of developing solid-waste disposal plans for such areas.

Applications.

(b) In order to be eligible for a grant under this section the State, or the interstate agency, must submit an application therefor which—

(1) designates or establishes a single State agency (which may be an interdepartmental agency) or, in the case of an interstate agency, such interstate agency, as the sole agency for carrying out the purposes of this section;

(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to statewide planning (or in the case of an interstate agency jurisdictionwide planning) for proper and effective solid-waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

(3) sets forth its plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

(4) provides for submission of a final report of the activities of the State or interstate agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

(5) provides 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 or interstate agency under this section.

(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid-waste disposal will be coordinated, so far as practicable, with other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

73 Stat. 678; *Ante*, pp. 17, 502. 40 USC 461.

LABOR STANDARDS

SEC. 207. No grant for a project of construction under this Act shall be made unless the Secretary finds that the application contains or is supported by reasonable assurance that all laborers and mechanics employed by contractors or subcontractors on projects of the type covered by the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with that Act; and 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 (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).

49 Stat. 1011; 78 Stat. 238.

64 Stat. 1267.

63 Stat. 108.

OTHER AUTHORITY NOT AFFECTED

SEC. 208. This Act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provisions of law, of the Secretary of Health, Education, and Welfare, the

Secretary of the Interior, or any other Federal officer, department, or agency.

PAYMENTS

SEC. 209. Payments of grants under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

APPROPRIATIONS

SEC. 210. (a) There is hereby authorized to be appropriated to the Secretary of Health, Education, and Welfare, to carry out this Act, not to exceed $7,000,000 for the fiscal year ending June 30, 1966, not to exceed $14,000,000 for the fiscal year ending June 30, 1967, not to exceed $19,200,000 for the fiscal year ending June 30, 1968, and not to exceed $20,000,000 for the fiscal year ending June 30, 1969.

(b) There is hereby authorized to be appropriated to the Secretary of the Interior, to carry out this Act, not to exceed $3,000,000 for the fiscal year ending June 30, 1966, not to exceed $6,000,000 for the fiscal year ending June 30, 1967, not to exceed $10,800,000 for the fiscal year ending June 30, 1968, and not to exceed $12,500,000 for the fiscal year ending June 30, 1969.

Approved October 20, 1965, 9:10 a.m.

49-850 O-66—66

Public Law 89-273

October 20, 1965
[H. R. 10871]

AN ACT

Making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Foreign Assistance and Related Agencies Appropriation Act, 1966.

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, 1966, namely:

TITLE I—FOREIGN ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

MUTUAL DEFENSE AND DEVELOPMENT

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, 1966, unless otherwise specified herein, as follows:

ECONOMIC ASSISTANCE

Ante, p. 654.

Technical cooperation and development grants: For expenses authorized by section 212, $202,355,000.

American schools and hospitals abroad: For expenses authorized by section 214(c), $7,000,000.

Ante, p. 656.

International organizations and programs: For expenses authorized by section 302, $144,755,000.

Supporting assistance: For expenses authorized by section 402, $369,200,000.

Contingency fund, general: For expenses authorized by section 451(a), $50,000,000.

Contingency fund, southeast Asia: For expenses authorized by section 451(a), $89,000,000.

Ante, p. 655.

Alliance for Progress, technical cooperation and development grants: For expenses authorized by section 252, $75,000,000.

76 Stat. 258.
22 USC 2212.

Alliance for Progress, development loans: For expenses authorized by section 252, $435,125,000, 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.

75 Stat. 426.
22 USC 2162.

Development loans: For expenses authorized by section 202(a), $618,225,000, 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 no part of this appropriation may be used to carry out the provisions of section 205 of the Foreign Assistance Act of 1961, as amended.

Ante, p. 653.

Ante, p. 661.

Administrative expenses: For expenses authorized by section 637(a), $54,240,000.

75 Stat. 460.
22 USC 2397.
75 Stat. 463.
22 USC 1613d.

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, $3,100,000.

Unobligated balances as of June 30, 1965, 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 1966, 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

68 Stat. 830.
31 USC 200.

68 Stat. 832.
22 USC 1750 *et seq.*

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.

75 Stat. 424. 22 USC 2151 note.

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 $23,500,000 for the current fiscal year, and purchase of passenger motor vehicles for replacement only for use outside the United States: *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, $1,170,000,000.

Ante, p. 656.

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.

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

Seating of Communist China in U. N., opposition.

59 Stat. 1031.

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 certain countries.
22 USC 2151 note.

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.

65 Stat. 645.
22 USC 1611-1611d.

Presidential determination of assistance.
Report to congressional committees.

(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, unless the President determines that the withholding of such assistance would be contrary to the national interest and reports such determination to the Foreign Relations and Appropriations Committees of the Senate and the Foreign Affairs and Appropriations Committees of the House of Representatives. 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.

Publication in Federal Register.

Procurement outside U.S.
Report to congressional committees.

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.

75 Stat. 439.
22 USC 2354.

Communist nations.
Furnishing of strategic materials, 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.

Economic assistance.
Presidential determination.
22 USC 2174.

(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.

Report to congressional committees.

Publication in Federal Register.

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.

22 USC 2151 note.

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.

Citizens employed outside U. S.

Loyalty investigations.

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.

Capital projects. U. S. approval.

SEC. 113. Of the funds appropriated or made available pursuant to this Act not more than $12,000,000 may be used during the fiscal year ending June 30, 1966, in carrying out section 241 of the Foreign Assistance Act of 1961, as amended.

75 Stat. 433; 77 Stat. 382. 22 USC 2201.

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 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.

Underdeveloped countries. Construction work.

SEC. 116. No assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country that sells, furnishes or

Restriction on assistance to certain countries.

Report to Congress.

permits any ships under its registry to carry to North Vietnam any of the items mentioned in subsection 107(a) of this Act 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.

Restriction on assistance to United Arab Republic. Presidential determination.

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.

Restriction on assistance to Indonesia. Presidential determination.

SEC. 118. 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 Indonesia, unless the President determines that such availability is essential to the national interest of the United States.

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, $102,000,000, together with not to exceed $12,100,000 of funds previously appropriated which are hereby continued available for the fiscal year 1966, of which not to exceed $24,100,000 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 one passenger motor vehicle, for replacement only; and construction, repair, and maintenance of buildings, utilities, facilities, and appurtenances; $14,733,000, of which not to exceed $2,733,000 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

40 USC 255; 31 USC 529. 70A Stat. 269.

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.

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), $30,000,000.

76 Stat. 121.
22 USC 2601 note.
60 Stat. 810.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide assistance to refugees, as authorized by law, 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); $7,575,000, of which not to exceed $7,050,000 shall remain available until December 31, 1966: *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: *Provided further*, That $371,000 of the balances of prior year appropriations under this head shall remain available until December 31, 1965.

60 Stat. 999.
74 Stat. 792.

FUNDS APPROPRIATED TO THE PRESIDENT

INVESTMENT IN INTER-AMERICAN DEVELOPMENT BANK

For subscription to the Inter-American Development Bank for the second installment on the increase in callable capital stock and for the second installment of the United States share in the increase in the resources of the Fund for Special Operations of the Bank, $455,880,000, to remain available until expended.

SUBSCRIPTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment of the first 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 $1,186,120,000 (of which not to exceed $900,000,000 shall be for long term project and equipment loans) shall be authorized during the current fiscal year for other than administrative expenses.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $4,052,000 (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 Communist countries, restriction.

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;
78 Stat. 1013.
22 USC 2370.

Report to Congress.

TITLE IV—GENERAL PROVISIONS

Publicity or propaganda.

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.

Inspector General, Foreign Assistance. Expenses.

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.

Short title.

This Act may be cited as the "Foreign Assistance and Related Agencies Appropriation Act, 1966."

Approved October 20, 1965.

Public Law 89-274

JOINT RESOLUTION

October 20, 1965 [S. J. Res. 106]

To allow the showing in the United States of the United States Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums".

"John F. Kennedy-Years of Lightning, Day of Drums."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that the people of the United States should not be denied an opportunity to view the film prepared by the United States Information Agency entitled "Years of Lightning, Day of Drums", depicting events in the administration of the late President John F. Kennedy.

It is further the sense of Congress that the expression of congressional intent embodied in this joint resolution is to be limited solely to the film referred to herein, and that nothing contained in this joint resolution should be construed to establish a precedent for making other materials prepared by the United States Information Agency available for general distribution in the United States.

Transfer and distribution of film.

SEC. 2. Accordingly, the United States Information Agency is authorized to make appropriate arrangements to transfer to the trustees of the John F. Kennedy Center for the Performing Arts six master copies of such film and the exclusive rights to distribute copies thereof, through educational and commercial media, for viewing within the United States. The net proceeds resulting from any such distribution shall be covered into the Treasury for the benefit of the John F. Kennedy Center for the Performing Arts and shall be available, in addition to appropriations authorized in the John F. Kennedy Center Act, to the trustees of such Center for use in carrying out the purposes of such Act.

72 Stat. 1698; 78 Stat. 4.

SEC. 3. In order to reimburse the United States Government for its expenditures in connection with production of the film, such arrangements shall provide for payment, at the time of delivery of the said master copies, for such rights in the amount of $122,000, which shall be covered into the Treasury as miscellaneous receipts.

Future Government-produced films. Restriction.

SEC. 4. Any documentary film which has been, is now being, or is hereafter produced by any Government department or agency with appropriations out of the Treasury concerning the life, character, and public service of any individual who has served or is serving the Government of the United States in any official capacity shall not be distributed or shown in public in this country during the lifetime of the said official or after the death of such official unless authorized by law in each specific case.

Approved October 20, 1965.

Public Law 89-275

October 20, 1965
[H. R. 1805]

AN ACT

To amend section 5899 of title 10, United States Code, to provide permanent authority under which Naval Reserve officers in the grade of captain shall be eligible for consideration for promotion when their running mates are eligible for consideration for promotion.

Armed Forces, Naval and Marine Corps Reserve, promotion authority. 72 Stat. 1503; 74 Stat. 274.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5899(a) of title 10, United States Code, is amended—

(1) by striking out "However, until July 1, 1961, an officer in the grade of captain is eligible for consideration for promotion when his running mate is eligible for consideration for promotion."; and

(2) by adding the following:

"However, an officer in the grade of captain is eligible for consideration for promotion when his running mate is eligible for consideration for promotion. When more than one officer in the grade of captain is to be selected for promotion from among line officers or from among officers in any one staff corps, at least one-half of the officers selected in the category concerned must be officers who are in the promotion zone or senior to such officers."

SEC. 2. Section 5899(b) of title 10, United States Code, is amended by adding the following:

"However, an officer in the grade of colonel is eligible for consideration for promotion when his running mate is eligible for consideration for promotion. When more than one officer in the grade of colonel is to be selected for promotion, at least one-half of the officers selected must be officers who are in the promotion zone or senior to such officers."

Effective date.

SEC. 3. The last sentence of section 5899(a) and the last sentence of section 5899(b) of title 10, United States Code, added by this Act become effective July 1, 1967.

Approved October 20, 1965.

Public Law 89-276

October 20, 1965
[S. 1516]

AN ACT

To amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed three years, and for other purposes.

Federal buildings. Contracts for inspection, etc., of equipment. 64 Stat. 580; 72 Stat. 1709.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 210(a) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(a)), is further amended (1) by striking out the word "and" where it last appears in subsection (12) thereof; (2) by striking out the period at the end of subsection (13) thereof, and inserting in lieu thereof a semicolon and the word "and"; and (3) by adding the following new subsection at the end of such section 210(a):

"(14) to enter into contracts for periods not exceeding three years for the inspection, maintenance, and repair of fixed equipment in such buildings which are federally owned."

Approved October 20, 1965.

Public Law 89-277

AN ACT

October 20, 1965
[S. 1715]

To extend the penalty for assault on a police officer in the District of Columbia to assaults on employees of penal and correctional institutions and places of confinement of juveniles of the District of Columbia.

D. C. correctional officers.
Assault penalty.
67 Stat. 95.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 432 of the Revised Statutes relating to the District of Columbia (D.C. Code, sec. 22-505) is amended by inserting after "District of Columbia" the following: ", or any officer or employee of any penal or correctional institution of the District of Columbia, or any officer or employee of the government of the District of Columbia charged with the supervision of juveniles being confined pursuant to law in any facility of the District of Columbia, whether such institution or facility is located within the District of Columbia or elsewhere,".

Approved October 20, 1965.

Public Law 89-278

AN ACT

October 20, 1965
[H. R. 5571]

To amend title 37, United States Code, to authorize payment of incentive pay for submarine duty to personnel qualified in submarines attached to staffs of submarine operational commanders.

Armed Forces.
Submarine personnel, hazardous duty pay.
77 Stat. 215.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301(a)(2) of title 37, United States Code, is amended by inserting after the words, "personnel qualified in submarines," the words, "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

"(c) During any three consecutive calendar months when the requirements of clause (b) above have not been met: 144 hours,".

Approved October 20, 1965.

Public Law 89-279

AN ACT

October 20, 1965
[H. R. 6852]

To authorize the disposal, without regard to the prescribed six-month waiting period, of approximately ninety-seven million pounds of abaca from the national stockpile.

Abaca.
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 approximately ninety-seven million pounds of abaca now held in the national stockpile. Such disposal may be made without regard to the provision of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committees of each House thereof of notice of the proposed disposition.

60 Stat. 597.

Publication in Federal Register.

Approved October 20, 1965.

Public Law 89-280

October 20, 1965
[H. R. 7059]

AN ACT

To amend the Act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), so as to increase the amount authorized to be appropriated to the Smithsonian Institution for use in carrying out its functions under said Act, and for other purposes.

Smithsonian Institution.
Funds for laboratory maintenance, etc.
Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of July 2, 1940 (54 Stat. 725; 20 U.S.C. 79e), is amended to read:

"SEC. 7. There are authorized to be appropriated annually, from money in the Treasury of the United States not otherwise appropriated, such sums, not to exceed $350,000, as are necessary for the administration of this Act and for the maintenance of laboratory or other facilities provided for carrying out the purposes of this Act."

SEC. 2. Section 4(g) of the Act of July 2, 1940 (54 Stat. 725), as modified by section 801 of Reorganization Plan Numbered 3, effective July 16, 1946 (60 Stat. 1101; 20 U.S.C. section 79b(f)), is amended to read as follows:

Report to Congress.

"(g) include in its annual report of its operations to Congress a statement of activities and operations during the preceding year."

Approved October 20, 1965.

Public Law 89-281

October 21, 1965
[H. R. 7707]

AN ACT

To authorize the appointment of crier-law clerks by district judges.

U. S. Courts.
Crier-law clerks, appointment.
62 Stat. 923.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 755 of title 28, United States Code, is amended to read as follows:

"Each district judge may appoint a crier for the court in which he presides who shall perform also the duties of bailiff and messenger. A crier may perform also the duties of law clerk if he is qualified to do so and the district judge who appointed him designates him to serve as a crier-law clerk. A crier designated to serve as a crier-law clerk shall receive the compensation of a law clerk, but only so much of that compensation as is in excess of the compensation to which he would be entitled as a crier shall be deemed the compensation of a law clerk for the purposes of any limitation imposed by law upon the aggregate salaries of law clerks and secretaries appointed by a district judge."

Approved October 21, 1965.

Public Law 89-282

AN ACT

October 21, 1965
[S. 1719]

To authorize compensation for overtime work performed by officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, the United States Park Police force, and the White House Police force, 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 provide a five-day week for officers and members of the Metropolitan Police force, the United States Park Police force and the White House Police force", approved August 15, 1950, as amended (D.C. Code, sec. 4-904), is amended to read as follows:

D. C. Police and Firemen.
U.S. Park Police.
White House Police.
64 Stat. 447.

"That (a) for purposes of this Act, the following definitions apply, unless the context requires otherwise:

Definitions.

"(1) 'Authorizing official' means the Board of Commissioners of the District of Columbia in the cases of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Interior in the case of the United States Park Police force, and the Secretary of the Treasury in the case of the White House Police force.

"(2) 'Administrative workweek' means a period of seven consecutive calendar days.

"(3) 'Basic workweek' means a forty-hour workweek, excluding rollcall time, in the case of officers and members of the police forces specified in this Act; a forty-hour workweek in the case of officers and members of the District of Columbia Fire Department other than those in the Firefighting Division; and an average workweek of forty-eight hours in the case of officers and members of the Firefighting Division of the District of Columbia Fire Department.

"(4) 'Basic workday' means an eight-hour day excluding rollcall time in the case of officers and members of the police forces specified in this Act; an eight-hour day in the case of officers and members of the District of Columbia Fire Department other than those in the Firefighting Division; and an average twelve-hour workday in the case of officers and members of the Firefighting Division.

"(5)(A) 'Off-duty days' means the nonwork days which, when combined with the basic workdays make up the administrative workweek.

"(B) 'Off-duty time' means the time in any basic workday outside the regular tour of an officer or member's duty.

"(6) 'Rollcall time' means that time, not exceeding one-half hour each workday which is in addition to each basic workday of the basic workweek for reading of rolls and other preparation for the daily tour of duty.

"(7) 'Rate of basic compensation' means the rate of compensation fixed by law for the position held by an officer or member exclusive of any deductions or additional compensation of any kind.

"(8) 'Premium pay' means compensation not considered as salary for the purpose of computing deductions for life insurance or for computing annuity payments under the Policemen and Firemen's Retirement and Disability Act.

71 Stat. 391.
D. C. Code 4-521 note.

"(9) 'Officer or member' means any employee in 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 whose compensation is fixed and adjusted in accordance with the District of Columbia Police and Firemen's Salary Act of 1958, as amended.

D. C. Code 4-823 note.

"(10) 'Court duty' means attendance by an officer or member in his official capacity, excluding his appearance as a defendant, at court or at a quasi-judicial hearing.

"(11) 'Special event' or 'special assignment' means any planned activity or function which the authorizing official designates in advance as such.

Forty hour workweek, determination.

"(b) The Board of Commissioners of the District of Columbia, the Secretary of the Interior, or the Secretary of the Treasury, as the case may be, is authorized and directed to establish a basic workweek of forty hours to be scheduled on five days for the respective police forces referred to in this Act: *Provided*, That rollcall time shall be without compensation or credit to the time of the basic workweek.

Overtime work.

"(c) All officially ordered or approved hours of work (except rollcall time) performed by officers and members in excess of the basic workweek in any administrative workweek, shall be considered as overtime work and shall be compensated for as provided by this Act.

Payment.

"(d)(1) Whenever the authorizing official designates in advance an activity or function as a special event, or special assignment, all overtime work in connection with such special event, or special assignment, shall be compensated for by payment as follows:

78 Stat. 880. D. C. Code 4-823.

"(i) For each officer or member who receives compensation at a rate provided for in class 1 through class 4, in the District of Columbia Police and Firemen's Salary Act of 1958, as amended, the overtime work shall be compensated for by payment at one and one-half times the basic hourly rate of such officer or member and all such compensation shall be considered premium pay.

"(ii) For each officer or member who receives compensation at a rate provided for classes 5 and above, in the District of Columbia Police and Firemen's Salary Act of 1958, as amended, the overtime work shall be compensated for by payment at the basic hourly rate of such officer or member's basic compensation (except as otherwise limited by subsection (h) (1) and (2) of this section) and all such compensation shall be considered premium pay.

Compensatory time, availability.

"(2) An officer or member may elect to receive compensatory time off as provided in subsection (f) of this section in lieu of payment for overtime work as provided in this subsection.

"(e) Each officer or member who on any off-duty time performs court duty (excluding the first appearance in court on each case), or who performs work, as ordered or approved, on any off-duty day shall be compensated in accordance with subsection (d) of this section.

"(f) Overtime work, other than that for which compensation by payment or time off is provided by subsections (d) and (e) of this section, shall be compensated for by compensatory time off at a rate of one hour of compensatory time for each hour of overtime work performed. Such compensatory time off shall be granted in accordance with the following provisions:

"(1) The authorizing official, or such person as he may designate to act in his place, may, at the request of any officer or member, grant such officer or member compensatory time off from his scheduled tour of duty in lieu of payment for an equal amount of time spent for overtime work, including the first appearance for court duty in each case, if to grant such leave would not unreasonably diminish the number of officers or members available to maintain law, order, and public safety.

"(2) Any officer or member who is eligible for compensatory time off and has made application for such compensatory time off, which application was denied, may within thirty days of such denial make application for compensatory pay at his basic hourly rate of basic

compensation and all such compensation shall be considered premium pay.

"(3) Such compensatory time off shall be used within such period of time as the authorizing official shall prescribe. If such officer or member fails to take such compensatory time off within the prescribed period, he shall thereby waive all right to such compensatory time off, unless his failure to take such compensatory time off is due to an official denial of his request for such compensatory time off. Such overtime work shall be credited for purposes of compensation in multiples of one hour, rounded to the nearest hour in case of fractions thereof. Thirty minutes or more of any such hour shall be credited as one hour.

"(g)(1) Whenever any officer or member is authorized or directed to return to overtime duty at a time which is not an immediate continuation of his regular tour of duty, such officer or member shall receive credit for not less than two hours of overtime work for purposes of compensation under this Act.

"(2) Overtime work resulting from the immediate continuation of an officer's or member's regular tour of duty which, excluding rollcall time, is thirty minutes or more in excess of the basic workday shall be credited for purposes of compensation under subsection (f) of this section.

"(h)(1) No premium pay provided by this Act shall be paid to, and no compensatory time off is authorized for, any officer or member whose rate of basic compensation equals or exceeds the minimum scheduled rate of basic compensation provided for service step 1 in class 10 of the District of Columbia Police and Firemen's Salary Act of 1958, as amended.

78 Stat. 881. D. C. Code 4-823.

"(2) In the case of any officer or member whose rate of basic compensation is less than the minimum scheduled rate of basic compensation provided for service step 1 in class 10 of the Police and Firemen's Salary Act of 1958, as amended, such premium pay may be paid only to the extent that such payment would not cause his aggregate rate of compensation to exceed such minimum scheduled rate with respect to any pay period.

"(3) Each authorizing official is authorized to promulgate such regulations and issue such orders as are necessary to carry out the intent and purpose of this Act, and to delegate to a designated agent or agents any of the functions vested in the authorizing official by this Act."

Repeal.

SEC. 2. Paragraph (6) of section 2(a) of the Act entitled "An Act to amend the Act entitled 'An Act to classify the officers and members of the Fire Department of the District of Columbia, and for other purposes', approved June 20, 1906, and for other purposes", approved June 19, 1948 (62 Stat. 498), as amended (sec. 4-404a, D.C. Code), is repealed.

SEC. 3. The first section of the Act entitled "An Act to provide for granting to officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, and the White House and United States Park Police forces additional compensation for working holidays", approved October 24, 1951 (65 Stat. 607), as amended (sec. 4-807, D.C. Code), is amended by striking the last two of the three provisos thereof, and by inserting, in lieu thereof, the following: "*Provided further*, That, when an officer or member is authorized or directed to work on a holiday and such officer or member is required to work longer than his regular tour of duty he shall be compensated for such overtime in accordance with the provisions of subsection (e) of the first section of the Act approved August 15, 1950 (64 Stat. 447), as amended (D.C. Code, sec. 4-904(e)).

72 Stat. 377.

Ante, p. 1014.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Effective date.

SEC. 5. This Act shall become effective on the first day of the first pay period which begins not less than thirty days after approval of this Act.

Approved October 21, 1965.

Public Law 89-283

October 21, 1965
[H. R. 9042]

AN ACT

To provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada, and for other purposes.

Automotive Products Trade Act of 1965.

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

TITLE I—SHORT TITLE AND PURPOSES

SHORT TITLE

SECTION 101. This Act may be cited as the "Automotive Products Trade Act of 1965".

PURPOSES

SEC. 102. The purposes of this Act are—

(1) to provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada signed on January 16, 1965 (hereinafter referred to as the "Agreement"), in order to strengthen the economic relations and expand trade in automotive products between the United States and Canada; and

(2) to authorize the implementation of such other international agreements providing for the mutual reduction or elimination of duties applicable to automotive products as the Government of the United States may hereafter enter into.

TITLE II—BASIC AUTHORITIES

IMPLEMENTATION OF THE AGREEMENT

77A Stat. 3.
19 USC 1202.

SEC. 201. (a) The President is authorized to proclaim the modifications of the Tariff Schedules of the United States provided for in title IV of this Act.

(b) At any time after the issuance of the proclamation authorized by subsection (a), the President is authorized to proclaim further modifications of the Tariff Schedules of the United States to provide for the duty-free treatment of any Canadian article which is original motor-vehicle equipment (as defined by such Schedules as modified pursuant to subsection (a)) if he determines that the importation of such article is actually or potentially of commercial significance and that such duty-free treatment is required to carry out the Agreement.

IMPLEMENTATION OF OTHER AGREEMENTS

SEC. 202. (a) Whenever, after determining that such an agreement will afford mutual trade benefits, the President enters into an agree-

ment with the government of a country providing for the mutual elimination of the duties applicable to products of their respective countries which are motor vehicles and fabricated components intended for use as original equipment in the manufacture of such vehicles, the President (in accordance with subsection (d)) is authorized to proclaim such modifications of the Tariff Schedules of the United States as he determines to be required to carry out such agreement.

(b) Whenever, after having entered into an agreement with the government of a country providing for the mutual elimination of the duties applicable to products described in subsection (a), the President, after determining that such further agreement will afford mutual trade benefits, enters into a further agreement with such government providing for the mutual reduction or elimination of the duties applicable to automotive products other than motor vehicles and fabricated components intended for use as original equipment in the manufacture of such vehicles, the President (in accordance with subsection (d)) is authorized to proclaim such modifications of the Tariff Schedules of the United States as he determines to be required to carry out such further agreement.

77A Stat. 3.
19 USC 1202.

(c) Before the President enters into the negotiation of an agreement referred to in subsection (a) or (b), he shall—

(1) seek the advice of the Tariff Commission as to the probable economic effect of the reduction or elimination of duties on industries producing articles like or directly competitive with those which may be covered by such agreement;

(2) give reasonable public notice of his intention to negotiate such agreement (which notice shall be published in the Federal Register) in order that any interested person may have an opportunity to present his views to such agency as the President shall designate, under such rules and regulations as the President may prescribe; and

Publication in Federal Register.

(3) seek information and advice with respect to such agreement from the Departments of Commerce, Labor, State, and the Treasury, and from such other sources as he may deem appropriate.

(d)(1) The President shall transmit to each House of the Congress a copy of each agreement referred to in subsection (a) or (b). The delivery to both Houses shall be on the same day and shall be made to each House while it is in session.

Agreements, copies to Congress.

(2) The President is authorized to issue any proclamation to carry out any such agreement—

Proclamation.

(A) only after the expiration of the 60-day period following the date of delivery,

(B) only if, between the date of delivery and the expiration of such 60-day period, the Congress has not adopted a concurrent resolution stating in substance that the Senate and House of Representatives disapprove of the agreement, and

(C) in the case of any agreement referred to in subsection (b) with any country, only if there is in effect a proclamation implementing an agreement with such country applicable to products described in subsection (a).

(3) For purposes of paragraph (2), in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die.

(e) This section shall cease to be in effect on the day after the date of the enactment of this Act.

Termination date.

49-850 O-66—67

EFFECTIVE DATE OF PROCLAMATIONS

SEC. 203. (a) Subject to subsection (b), the President is authorized, notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C., sec. 1514) or any other provision of law, to give retroactive effect to any proclamation issued pursuant to section 201 of this Act as of the earliest date after January 17, 1965, which he determines to be practicable.

46 Stat. 734.

(b) In the case of liquidated customs entries, the retroactive effect pursuant to subsection (a) of any proclamation shall apply only upon request therefor filed with the customs officer concerned on or before the 90th day after the date of such proclamation and subject to such other conditions as the President may specify.

TERMINATION OF PROCLAMATIONS

SEC. 204. The President is authorized at any time to terminate, in whole or in part, any proclamation issued pursuant to section 201 or 202 of this Act.

SPECIAL REPORTS TO CONGRESS

SEC. 205. (a) No later than August 31, 1968, the President shall submit to the Senate and the House of Representatives a special report on the comprehensive review called for by Article IV(c) of the Agreement. In such report he shall advise the Congress of the progress made toward the achievement of the objectives of Article I of the Agreement.

(b) Whenever the President finds that any manufacturer has entered into any undertaking, by reason of governmental action, to increase the Canadian value added of automobiles, buses, specified commercial vehicles, or original equipment parts produced by such manufacturer in Canada after August 31, 1968, he shall report such finding to the Senate and the House of Representatives. The President shall also report whether such undertaking is additional to undertakings agreed to in letters of undertaking submitted by such manufacturer before the date of the enactment of this Act.

(c) The reports provided for in subsections (a) and (b) of this section shall include recommendations for such further steps, including legislative action, if any, as may be necessary for the achievement of the purposes of the Agreement and this Act.

TITLE III—TARIFF ADJUSTMENT AND OTHER ADJUSTMENT ASSISTANCE

GENERAL AUTHORITY

SEC. 301. Subject to section 302 of this Act, a petition may be filed for tariff adjustment or for a determination of eligibility to apply for adjustment assistance under title III of the Trade Expansion Act of 1962 (19 U.S.C., sec. 1901–1991) as though the reduction or elimination of a duty proclaimed by the President pursuant to section 201 or 202 of this Act were a concession granted under a trade agreement referred to in section 301 of the Trade Expansion Act of 1962.

76 Stat. 883.

SPECIAL AUTHORITY DURING TRANSITIONAL PERIOD UNDER THE AGREEMENT

Adjustment assistance, eligibility petition.

SEC. 302. (a) After the 90th day after the date of the enactment of this Act and before July 1, 1968, a petition under section 301 of this Act for a determination of eligibility to apply for adjustment assistance may be filed with the President by—

(1) a firm which produces an automotive product, or its representative; or

(2) a group of workers in a firm which produces an automotive product, or their certified or recognized union or other duly authorized representative.

Presidential determination.

(b) After a petition is filed by a firm or group of workers under subsection (a), the President shall determine whether—

(1) dislocation of the firm or group of workers has occurred or threatens to occur;

(2) production in the United States of the automotive product concerned produced by the firm, or an appropriate subdivision thereof, and of the automotive product like or directly competitive therewith, has decreased appreciably; and

(3) (A) imports into the United States from Canada of the Canadian automotive product like or directly competitive with that produced by the firm, or an appropriate subdivision thereof, have increased appreciably; or

(B) exports from the United States to Canada of the United States automotive product concerned produced by the firm, or an appropriate subdivision thereof, and of the United States automotive product like or directly competitive therewith, have decreased appreciably, and the decrease in such exports is greater than the decrease, if any, in production in Canada of the Canadian automotive product like or directly competitive with the United States automotive product being exported.

(c) If the President makes an affirmative determination under paragraphs (1), (2), and (3) of subsection (b), with respect to a firm or group of workers, he shall promptly certify that as a result of its dislocation the firm or group of workers is eligible to apply for adjustment assistance, unless the President determines that the operation of the Agreement has not been the primary factor in causing or threatening to cause dislocation of the firm or group of workers.

(d) If the President makes an affirmative determination under paragraph (1) but a negative determination under paragraph (2) or (3) of subsection (b), with respect to a firm or group of workers, the President shall determine whether the operation of the Agreement has nevertheless been the primary factor in causing or threatening to cause dislocation of the firm or group of workers. If the President makes such an affirmative determination, he shall promptly certify that as a result of its dislocation the firm or group of workers is eligible to apply for adjustment assistance.

Investigation and report by Tariff Commission.

(e) (1) In order to provide the President with a factual record on the basis of which he may make the determinations referred to in subsections (b), (c), and (d) with respect to a firm or a group of workers, the President shall promptly transmit to the Tariff Commission a copy of each petition filed under subsection (a) and, not later than 5 days after the date on which the petition is filed, shall request the Tariff Commission to conduct an investigation related to questions of fact relevant to such determinations and to make a report of the facts disclosed by such investigation. In his request, the President may specify the particular kinds of data which he deems appropriate. Upon receipt of the President's request, the Tariff Commission shall promptly institute the investigation and promptly publish notice thereof in the Federal Register.

Publication in Federal Register.

Public hearings.

(2) In the course of each investigation conducted under paragraph (1), the Tariff Commission shall, after reasonable notice, hold a public hearing, if such hearing is requested (not later than 10 days after the date of the publication of its notice under paragraph (1)) by the petitioner or any other person showing a proper interest in the subject matter of the investigation, and shall afford interested persons an

opportunity to be present, to produce evidence, and to be heard at such hearing.

Report to President.

(3) Not later than 50 days after the date on which it receives the request of the President under paragraph (1), the Tariff Commission shall transmit to the President a report of the facts disclosed by its investigation, together with the transcript of the hearing and any briefs which may have been submitted in connection with such investigation.

(f)(1) The President shall make each final determination under subsection (b), (c), or (d) with respect to a firm or group of workers only after he has sought advice from the Departments of Commerce, Labor, and the Treasury, the Small Business Administration, and such other agencies as he may deem appropriate.

Final determination; supplemental report.

(2) The President shall make each such final determination not later than 15 days after the date on which he receives the Tariff Commission's report, unless, within such period, the President requests additional factual information from the Tariff Commission. In this event, the Tariff Commission shall, not later than 25 days after the date on which it receives the President's request, furnish such additional factual information in a supplemental report, and the President shall make his final determination not later than 10 days after the date on which he receives such supplemental report.

Publication in Federal Register.

(3) The President shall promptly publish in the Federal Register a summary of each final determination under this section.

(g) Any certification with respect to a group of workers made by the President under this section shall—

(1) specify the date on which the dislocation began or threatens to begin; and

(2) be terminated by the President whenever he determines that the operation of the Agreement is no longer the primary factor in causing separations from the firm or subdivision thereof, in which case such determination shall apply only with respect to separations occurring after the termination date specified by the President.

(h) Any certification with respect to a firm or a group of workers or any termination of such certification, including the specification of a date in such certification or termination, made by the President under this section shall constitute a certification or termination, including the specification of a date therein, under section 302 of the Trade Expansion Act of 1962 (19 U.S.C., sec. 1902) for purposes of chapter 2 or 3 of title III of that Act.

76 Stat. 885.
19 USC 1911-1978.

Tax assistance.

19 USC 1917 and note.

(i) If a firm which has been certified under this section applies for tax assistance as provided by section 317 of the Trade Expansion Act of 1962, the reference in subsection (a)(2) of such section 317 to a trade or business which was seriously injured by increased imports which the Tariff Commission has determined to result from concessions granted under trade agreements shall be treated as referring to a trade or business which was seriously injured by the operation of the Agreement.

(j) Notwithstanding any provision of chapter 3 of title III of the Trade Expansion Act of 1962 or of this title, applications based on any certification made by the President under this section for—

(1) trade readjustment allowances for weeks of unemployment beginning after January 17, 1965, and before the 90th day after the date of the enactment of this Act, and

(2) relocation allowances for relocations occurring after January 17, 1965, and before such 90th day,

shall be determined in accordance with regulations prescribed by the Secretary of Labor.

(k) The President is authorized to exercise any of his functions under this section through such agency or other instrumentality of the United States Government as he may direct and in conformity with such rules or regulations as he may prescribe.

Definitions

(l) For purposes of this section—

(1) The term "automotive product" means a motor vehicle or a fabricated component to be used as original equipment in the manufacture of motor vehicles.

(2) The term "dislocation" means—

(A) in the case of a firm, injury to the firm, which may be evidenced by such conditions as idling of productive facilities, inability to operate at a level of reasonable profit, or unemployment or underemployment, and which is of a serious nature; and

(B) in the case of a group of workers, unemployment or underemployment of a significant number or proportion of the workers of a firm or an appropriate subdivision thereof.

(3) The term "firm" includes an individual proprietorship, partnership, joint venture, association, corporation (including a development corporation), business trust, cooperative, trustees in bankruptcy, and receivers under decree of any court. A firm, together with any predecessor, successor, or affiliated firm controlled or substantially beneficially owned by substantially the same persons, may be considered a single firm where necessary to prevent unjustifiable benefits.

(4) The term "operation of the Agreement" includes governmental or private actions in the United States or Canada directly related to the conclusion or implementation of the Agreement.

ADJUSTMENT ASSISTANCE RELATED TO OTHER AGREEMENTS

SEC. 303. At the time the President transmits to the Congress a copy of any agreement pursuant to section 202(d)(1), he shall recommend to the Congress such legislative provisions concerning adjustment assistance to firms and workers as he determines to be appropriate in light of the anticipated economic impact of the reduction or elimination of duties provided for by such agreement.

AUTHORIZATION OF APPROPRIATIONS

SEC. 304. There are hereby authorized to be appropriated such sums as may be necessary from time to time to carry out the provisions of this title, which sums are authorized to be appropriated to remain available until expended.

TITLE IV—MODIFICATIONS OF TARIFF SCHEDULES OF THE UNITED STATES

ENTRY INTO FORCE AND STATUS OF MODIFICATIONS

SEC. 401. (a) The modifications of the Tariff Schedules of the United States provided for in this title shall not enter into force except as proclaimed by the President pursuant to section 201(a) of this Act.

77A Stat. 3.
19 USC 1202.

(b) The rates of duty in column numbered 1 of the Tariff Schedules of the United States which are modified pursuant to section 201(a) of this Act shall be treated—

(1) as not having the status of statutory provisions enacted by the Congress, but

(2) as having been proclaimed by the President as being required to carry out a foreign trade agreement to which the United States is a party.

REFERENCES TO TARIFF SCHEDULES

SEC. 402. Whenever in this title a modification is expressed in terms of a modification 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). Each page reference "(p.)" in this title refers to the page on which the item or provision referred to appears both in part II of the Federal Register for August 17, 1963, and in volume 77A of the United States Statutes at Large.

DEFINITION OF CANADIAN ARTICLE

SEC. 403. In general headnote 3 (pp. 11 and 12) redesignate paragraphs (d), (e), and (f) as paragraphs (e), (f), and (g), respectively, and insert a new paragraph (d) as follows:

"(d) Products of Canada.

"(i) Products of Canada imported into the customs territory of the United States, whether imported directly or indirectly, are subject to the rates of duty set forth in column numbered 1 of the schedules. The rates of duty for a Canadian article, as defined in subdivision (d)(ii) of this headnote, apply only as shown in the said column numbered 1.

"(ii) The term 'Canadian article', as used in the schedules, means an article which is the product of Canada, but does not include any article produced with the use of materials imported into Canada which are products of any foreign country (except materials produced within the customs territory of the United States), if the aggregate value of such imported materials when landed at the Canadian port of entry (that is, the actual purchase price, or, if not purchased, the export value, of such materials, plus, if not included therein, the cost of transporting such materials to Canada but exclusive of any landing cost and Canadian duty) was—

"(A) with regard to any motor vehicle or automobile truck tractor entered on or before December 31, 1967, more than 60 percent of the appraised value of the article imported into the customs territory of the United States; and

"(B) with regard to any other article (including any motor vehicle or automobile truck tractor entered after December 31, 1967), more than 50 percent of the appraised value of the article imported into the customs territory of the United States."

DEFINITION OF ORIGINAL MOTOR-VEHICLE EQUIPMENT

SEC. 404. In the headnotes for subpart B, part 6, schedule 6 add after headnote 1 (p. 325) the following new headnote:

"2. Motor Vehicles and Original Equipment Therefor of Canadian Origin.—(a) The term 'original motor-vehicle equipment', as used in the schedules with reference to a Canadian article (as defined by general headnote 3(d)), means such a Canadian article which has been obtained from a supplier in Canada under or pursuant to a written order, contract, or letter of intent of a bona fide motor-vehicle manufacturer in the United States, and which is a fabricated component intended for use as original equipment in the manufacture in the United States of a motor vehicle, but the term does not include trailers or articles to be used in their manufacture.

"(b) The term 'motor vehicle', as used in this headnote, means a motor vehicle of a kind described in item 692.05 or 692.10 of this subpart (excluding an electric trolley bus and a three-wheeled vehicle) or an automobile truck tractor.

"Motor vehicle."

77A Stat. 325. 19 USC 1202.

"(c) The term 'bona fide motor-vehicle manufacturer', as used in this headnote, means a person who, upon application to the Secretary of Commerce, is determined by the Secretary to have produced no fewer than 15 complete motor vehicles in the United States during the previous 12 months, and to have installed capacity in the United States to produce 10 or more complete motor vehicles per 40-hour week. The Secretary of Commerce shall maintain, and publish from time to time in the Federal Register, a list of the names and addresses of bona fide motor-vehicle manufacturers.

"Bona fide motor-vehicle manufacturer."

Publication in Federal Register.

"(d) If any Canadian article accorded the status of original motor-vehicle equipment is not so used in the manufacture in the United States of motor vehicles, such Canadian article or its value (to be recovered from the importer or other person who diverted the article from its intended use as original motor-vehicle equipment) shall be subject to forfeiture, unless at the time of the diversion of the Canadian article the United States Customs Service is notified in writing, and, pursuant to arrangements made with the Service—

"(i) the Canadian article is, under customs supervision, destroyed or exported, or

"(ii) duty is paid to the United States Government in an amount equal to the duty which would have been payable at the time of entry if the Canadian article had not been entered as original motor-vehicle equipment."

IDENTIFICATION OF AUTOMOTIVE PRODUCTS

SEC. 405. (a) Redesignate item 692.25 (p. 326) as 692.27; in headnote 1(b) of subpart B, part 6, schedule 6 (p. 325) substitute "item 692.27" in lieu of "item 692.25"; and insert in proper numerical sequence new items as follows:

"	692.06	If Canadian article, but not including any electric trolley bus, three-wheeled vehicle, or trailer accompanying an automobile truck tractor (see general headnote 3(d))	Free		"
"	692.11	If Canadian article, but not including any three-wheeled vehicle (see general headnote 3(d))	Free		"
"	692.21	Chassis, if Canadian article, except chassis for an electric trolley bus, or a three-wheeled vehicle; bodies (including cabs), if Canadian article and original motor-vehicle equipment (see headnote 2 of this subpart)	Free		"
"	692.23	Chassis, if Canadian article, except chassis designed primarily for a vehicle described in item 692.15 or a three-wheeled vehicle; bodies (including cabs), if Canadian article and original motor-vehicle equipment (see headnote 2 of this subpart)	Free		"
"	692.25	If Canadian article and original motor-vehicle equipment (see headnote 2 of this subpart)	Free		"
"	692.28	Automobile truck tractors, if Canadian article; other articles, if Canadian article and original motor-vehicle equipment (see headnote 2 of this subpart)	Free		"

(b) Insert in proper numerical sequence new items as follows:

"	361.90	Any article described in the foregoing items 360.20 to 360.70, inclusive, 360.80, 361.80, or 361.85, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free	"
"	516.98	Any article described in the foregoing items 516.71 to 516.76, inclusive, or 516.94, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free	"
"	646.79	Any article described in the foregoing item 646.20 and items 646.40 to 646.78, inclusive (except 646.45 and 646.47), if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free	"
"	652.39	Any article described in the foregoing items 652.12 to 652.38, inclusive, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free	"
"	658.10	Any article described in the foregoing items 657.09 to 658.00, inclusive, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free	"
"	682.65	Any article described in the foregoing items 682.10 to 682.60, inclusive (except 682.50), if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free	"
"	685.55	Any article described in the foregoing items 685.20 to 685.50, inclusive, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free	"
"	721.20	Any article in the foregoing items covering clocks, clock movements, clock cases and dials and parts thereof, plates (720.67), assemblies and subassemblies for clock movements, and other parts for clock movements, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free	"

(c) Insert in proper numerical sequence new items 355.27, 389.80, 728.30, 745.80, and 774.70, each having an article description and rate as follows:

"		Any article described in the foregoing provisions of this subpart, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6)	Free	"

(d) Redesignate item 613.16 as 613.18, item 652.85 as 652.84, item 652.87 as 652.88, item 680.34 as 680.33, item 680.58 as 680.60, item 680.59 as 680.70, item 680.60 as 680.90, and item 711.91 as 711.93; and insert in proper numerical sequence new items as follows:

77A Stat. 278.
Ante, p. 940, 941, 943

207.01	652.89	683.11
220.46	660.43	683.16
357.91	660.45	683.61
357.96	660.47	683.66
358.03	660.51	684.41
517.82	660.53	684.63
535.15	660.55	684.71
540.72	660.86	685.71
544.18	660.93	685.81
544.32	660.95	685.91
544.42	661.11	686.11
544.52	661.13	686.23
544.55	661.16	686.61
545.62	661.21	686.81
545.64	661.36	687.51
547.16	661.93	687.61
610.81	661.96	688.13
613.16	662.36	688.41
613.19	662.51	711.85
618.48	664.11	711.91
620.47	678.51	711.99
642.21	680.21	712.51
642.86	680.23	727.07
642.88	680.28	772.66
646.93	680.31	772.81
647.02	680.34	772.86
647.06	680.36	773.26
652.10	680.58	773.31
652.76	680.91	791.81
652.85	682.71	791.91
652.87	682.91	

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.

TITLE V—GENERAL PROVISIONS

AUTHORITIES

SEC. 501. The head of any agency performing functions authorized by this Act may—

(1) authorize the head of any other agency to perform any of such functions; and

(2) prescribe such rules and regulations as may be necessary to perform such functions.

ANNUAL REPORT

SEC. 502. The President shall submit to the Congress an annual report on the implementation of this Act. Such report shall include information regarding new negotiations, reductions or eliminations of duties, reciprocal concessions obtained, and other information relating to activities under this Act. Such report shall also include information providing an evaluation of the Agreement and this Act in relation to the total national interest, and specifically shall include, to the extent practicable, information with respect to—

(1) the production of motor vehicles and motor vehicle parts in the United States and Canada,

(2) the retail prices of motor vehicles and motor vehicle parts in the United States and Canada,

(3) employment in the motor vehicle industry and motor vehicle parts industry in the United States and Canada, and

(4) United States and Canadian trade in motor vehicles and motor vehicle parts, particularly trade between the United States and Canada.

APPLICABILITY OF ANTIDUMPING AND ANTITRUST LAWS

SEC. 503. Nothing contained in this Act shall be construed to affect or modify the provisions of the Anti-Dumping Act, 1921 (19 U.S.C. 160–173), or of any of the antitrust laws as designated in section 1 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (15 U.S.C. 12).

42 Stat. 11; 72 Stat. 583.

38 Stat. 730.

TITLE VI—MISCELLANEOUS PROVISIONS

JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

SEC. 601. Section 601(e) of the Revenue Act of 1941 (55 Stat. 726) (relating to the Joint Committee on Reduction of Nonessential Federal Expenditures) is amended to read as follows:

"(e) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section."

Appropriation.

Approved October 21, 1965.

Public Law 89-284

October 22, 1965
[H. R. 9247]

AN ACT

To provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Texas, in 1968, 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 Congress hereby recognizes the international exposition, HemisFair 1968 (hereafter in this Act referred to as the "exposition"), which is being held at San Antonio, Texas, in 1968, as an event designed to enhance the existing brotherhood between new world nations, reaffirm common ties, increase understanding, and fortify world peace. The purposes of such exposition are to—

HemisFair 1968 Exposition.

(1) honor and display the diversified cultures of Pan America, including the history, art, industry, commerce, and economic development of each of the nations of the Western Hemisphere, their interrelationships and common ties, and the contributions to their development from Europe, Asia, and Africa;

(2) encourage, coincident with the Olympic Games being held in Mexico City in 1968, tourist travel in and to the United States, stimulate foreign trade, and promote cultural exchanges; and

(3) commemorate the two hundred and fiftieth anniversary of the founding of historic bilingual San Antonio, "the gateway of Latin America".

U. S. participation.

SEC. 2. (a) To implement the recognition declared in the first section of this Act, the President, through the Secretary of Commerce,

shall cooperate with the State of Texas with respect to, and determine the extent to which the United States shall be a participant in and an exhibitor at, the exposition.

(b) The President is authorized and requested, by proclamation or in such other manner as he may deem proper, to invite the several States of the Union and foreign countries to take part in the exposition.

Planning staff, report to Commerce Secretary and President.

SEC. 3. (a) In carrying out his duties under section 2(a) of this Act, the Secretary of Commerce shall establish a planning staff to conduct a study to determine the manner in which and the extent to which the United States shall be a participant in and an exhibitor at the exposition, and to report thereon to the Secretary of Commerce and the President.

Consultants, appointments and compensation.
63 Stat. 954.
5 USC 1071 note.

(b)(1) The Secretary of Commerce is authorized to appoint, without regard to the civil service laws and the Classification Act of 1949, such consultants and experts as he deems to be necessary to assist the planning staff established under subsection (a). Persons so appointed as consultants and experts, who are not otherwise employed by the United States, shall be (A) paid compensation at a rate not to exceed $100 per diem while engaged in the work of such planning staff, and (B) reimbursed for travel and other necessary expenses incurred while so engaged, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

60 Stat. 808; 75 Stat. 339, 340.

Planning staff, appointment and compensation.

(2) The Secretary of Commerce is authorized to appoint and fix the compensation of 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, without regard to the civil service laws and the Classification Act of 1949, except that no person appointed under this paragraph shall receive compensation at a rate in excess of that received by persons under the Classification Act of 1949 for performing comparable duties.

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

Other Federal agencies, cooperation.

(1) to cooperate with the Secretary of Commerce with respect to 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

(2) to make available to the Secretary of Commerce, from time to time, on a reimbursable basis, such personnel as may be necessary to assist the Secretary of Commerce in carrying out his functions under this Act.

Report to Congress.

SEC. 5. The President shall report to the Congress during the first regular session of Congress which begins after the date of enactment of this Act with respect to (1) the findings derived from the study referred to in section 3, together with such recommendations as the Secretary of Commerce and the President may deem appropriate concerning the most effective manner of representation of the United States at the exposition, and (2) the amount of appropriations which are necessary to accomplish such representation.

Appropriation.

SEC. 6. There are hereby authorized to be appropriated not to exceed $125,000 to carry out the provisions of this Act.

Approved October 22, 1965, 12:25 p.m.

Public Law 89-285

October 22, 1965
[S. 2084]

AN ACT

To provide for scenic development and road beautification of the Federal-aid highway systems.

Highway Beautification Act of 1965.

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

TITLE I

72 Stat. 904.

SEC. 101. Section 131 of title 23, United States Code, is revised to read as follows:

"§ 131. Control of outdoor advertising

"(a) The Congress hereby finds and declares that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

"(b) Federal-aid highway funds apportioned on or after January 1, 1968, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, 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 shall provide for such effective control. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

72 Stat. 889.

"(c) Effective control means that after January 1, 1968, such signs, displays, and devices shall, pursuant to this section, be limited to (1) directional and other official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning the lighting, size, number, and spacing of signs, and such other requirements as may be appropriate to implement this section, (2) signs, displays, and devices advertising the sale or lease of property upon which they are located, and (3) signs, displays, and devices advertising activities conducted on the property on which they are located.

"(d) In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays, and devices whose size, lighting and spacing, consistent with customary use is to be determined by agreement between the several States and the Secretary, may be erected and maintained within six hundred and sixty feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary. The States shall have full authority under their own zoning laws to zone areas for commercial or industrial purposes, and the actions of the States in this regard will be accepted for the

purposes of this Act. Nothing in this subsection shall apply to signs, displays, and devices referred to in clauses (2) and (3) of subsection (c) of this section.

"(e) Any sign, display, or device lawfully in existence along the Interstate System or the Federal-aid primary system on September 1, 1965, which does not conform to this section shall not be required to be removed until July 1, 1970. Any other sign, display, or device lawfully erected which does not conform to this section shall not be required to be removed until the end of the fifth year after it becomes nonconforming.

"(f) The Secretary shall, in consultation with the States, provide within the rights-of-way for areas at appropriate distances from interchanges on the Interstate System, on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs shall conform to national standards to be promulgated by the Secretary.

"(g) Just compensation shall be paid upon the removal of the following outdoor advertising signs, displays, and devices—

"(1) those lawfully in existence on the date of enactment of this subsection,

"(2) those lawfully on any highway made a part of the interstate or primary system on or after the date of enactment of this subsection and before January 1, 1968, and

"(3) those lawfully erected on or after January 1, 1968.

The Federal share of such compensation shall be 75 per centum. Such compensation shall be paid for the following:

"(A) The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in such sign, display, or device; and

"(B) The taking from the owner of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon.

"(h) All public lands or reservations of the United States which are adjacent to any portion of the Interstate System and the primary system shall be controlled in accordance with the provisions of this section and the national standards promulgated by the Secretary.

Information centers.

"(i) In order to provide information in the specific interest of the traveling public, the State highway departments are authorized to maintain maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas. Subject to the approval of the Secretary, a State may also establish information centers at safety rest areas for the purpose of informing the public of places of interest within the State and providing such other information as a State may consider desirable.

Bonus payments.

"(j) Any State highway department which has, under this section as in effect on June 30, 1965, entered into an agreement with the Secretary to control the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System shall be entitled to receive the bonus payments as set forth in the agreement, but no such State highway department shall be entitled to such payments unless the State maintains the control required under such agreement or the control required by this section, whichever control is stricter. Such payments shall be paid only from appropriations made to carry out this section. The provisions of this subsection shall not be construed to exempt any State from controlling outdoor advertising as otherwise provided in this section.

"(k) Nothing in this section shall prohibit a State from establishing standards imposing stricter limitations with respect to signs, displays, and devices on the Federal-aid highway systems than those established under this section.

Notice of final determination.

"(l) Not less than sixty days before making a final determination to withhold funds from a State under subsection (b) of this section, or to do so under subsection (b) of section 136, or with respect to failing to agree as to the size, lighting, and spacing of signs, displays, and devices or as to unzoned commercial or industrial areas in which signs, displays, and devices may be erected and maintained under subsection (d) of this section, or with respect to failure to approve under subsection (g) of section 136, the Secretary shall give written notice to the State of his proposed determination and a statement of the reasons therefor, and during such period shall give the State an opportunity for a hearing on such determination. Following such hearing the Secretary shall issue a written order setting forth his final determination and shall furnish a copy of such order to the State. Within forty-five days of receipt of such order, the State may appeal such order to any United States district court for such State, and upon the filing of such appeal such order shall be stayed until final judgment has been entered on such appeal. Summons may be served at any place in the United States. The court shall have jurisdiction to affirm the determination 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 United States court of appeals for the circuit in which the State is located and to the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254. If any part of an apportionment to a State is withheld by the Secretary under subsection (b) of this section or subsection (b) of section 136, the amount so withheld shall not be reapportioned to the other States as long as a suit brought by such State under this subsection is pending. Such amount shall remain available for apportionment in accordance with the final judgment and this subsection. Funds withheld from apportionment and subsequently apportioned or reapportioned under this section shall be available for expenditure for three full fiscal years after the date of such apportionment or reapportionment as the case may be.

62 Stat. 928.

Appropriation.

"(m) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, and not to exceed $20,000,000 for the fiscal year ending June 30, 1967. No part of the Highway Trust Fund shall be available to carry out this section."

70 Stat. 397.
23 USC 120 note.

SEC. 102. The table of sections of chapter 1 of title 23 of the United States Code is amended by striking out

"131. Areas adjacent to the Interstate System."

and inserting in lieu thereof

"131. Control of outdoor advertising."

TITLE II

23 USC 101 et seq.

SEC. 201. Chapter 1 of title 23, United States Code, is amended to add at the end thereof the following new section:

"§ 136. Control of junkyards

"(a) The Congress hereby finds and declares that the establishment and use and maintenance of junkyards in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

Apportioned funds, withholding.

"(b) Federal-aid highway funds apportioned on or after January 1, 1968, to any State which the Secretary determines has not made pro-

vision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within one thousand feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, 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 shall provide for such effective control. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

Reapportionment of withheld funds.

"(c) Effective control means that by January 1, 1968, such junkyards shall be screened by natural objects, plantings, fences, or other appropriate means so as not to be visible from the main traveled way of the system, or shall be removed from sight.

Definitions.

"(d) The term 'junk' shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

"(e) The term 'automobile graveyard' shall mean any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

"(f) The term 'junkyard' shall mean an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills.

"(g) Notwithstanding any provision of this section, junkyards, auto graveyards, and scrap metal processing facilities may be operated within areas adjacent to the Interstate System and the primary system which are within one thousand feet of the nearest edge of the right-of-way and which are zoned industrial under authority of State law, or which are not zoned under authority of State law, but are used for industrial activities, as determined by the several States subject to approval by the Secretary.

"(h) Notwithstanding any provision of this section, any junkyard in existence on the date of enactment of this section which does not conform to the requirements of this section and which the Secretary finds as a practical matter cannot be screened, shall not be required to be removed until July 1, 1970.

Landscaping and screening costs.

"(i) The Federal share of landscaping and screening costs under this section shall be 75 per centum.

Junkyards. Costs of relocation, etc.

"(j) Just compensation shall be paid the owner for the relocation, removal, or disposal of the following junkyards—

"(1) those lawfully in existence on the date of enactment of this subsection,

"(2) those lawfully along any highway made a part of the interstate or primary system on or after the enactment of this subsection and before January 1, 1968, and

"(3) those lawfully established on or after January 1, 1968.

The Federal share of such compensation shall be 75 per centum.

"(k) All public lands or reservations of the United States which are adjacent to any portion of the interstate and primary systems shall be effectively controlled in accordance with the provisions of this section.

"(l) Nothing in this section shall prohibit a State from establishing standards imposing stricter limitations with respect to outdoor junk-

yards on the Federal-aid highway systems than those established under this section.

Appropriation.

"(m) There is authorized to be appropriated to carry out this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, and not to exceed $20,000,000 for the fiscal year ending June 30, 1967. No part of the Highway Trust Fund shall be available to carry out this section."

70 Stat. 397.
23 USC 120 note.

SEC. 202. The table of sections of chapter 1, title 23, United States Code, is amended by adding at the end thereof the following:

"136. Control of junkyards."

TITLE III

72 Stat. 917.

SEC. 301. (a) Section 319 of title 23, United States Code, is revised to read as follows:

"§ 319. Landscaping and scenic enhancement

"(a) The Secretary may approve as a part of the construction of Federal-aid highways the costs of landscape and roadside development, including acquisition and development of publicly owned and controlled rest and recreation areas and sanitary and other facilities reasonably necessary to accommodate the traveling public.

"(b) An amount equivalent to 3 per centum of the funds apportioned to a State for Federal-aid highways for any fiscal year shall be allocated to that State out of funds appropriated under authority of this subsection, which shall be used for landscape and roadside development within the highway right-of-way and for acquisition of interests in and improvement of strips of land necessary for the restoration, preservation, and enhancement of scenic beauty adjacent to such highways, including acquisition and development of publicly owned and controlled rest and recreation areas and sanitary and other facilities within or adjacent to the highway right-of-way reasonably necessary to accommodate the traveling public, without being matched by the State. The Secretary may authorize exceptions from this requirement, upon application of a State and upon a showing that such amount is in excess of the needs of the State for these purposes. Any funds not used as required by this subsection shall lapse. There is authorized to be appropriated to carry out this subsection, out of any money in the Treasury not otherwise appropriated, not to exceed $120,000,000 for the fiscal year ending June 30, 1966, and not to exceed $120,000,000 for the fiscal year ending June 30, 1967. No part of the Highway Trust Fund shall be available to carry out this subsection."

Appropriation.

(b) The table of sections of chapter 3 of title 23 of the United States Code is amended by striking out

"319. Landscaping."

and inserting in lieu thereof

"319. Landscaping and scenic enhancement."

Estimate and study.

SEC. 302. 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, 1967, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of carrying out the provisions of this Act, and a comprehensive study of the economic impact of such programs on affected individuals and commercial and industrial enterprises, the effectiveness of such programs and the public and private benefits realized thereby, and alternate or improved methods of accomplishing the objectives of this

Act. The Secretary shall submit such detailed estimate and a report concerning such comprehensive study to the Congress not later than January 10, 1967.

Report to Congress.

SEC. 303. (a) Before the promulgation of standards, criteria, and rules and regulations, necessary to carry out sections 131 and 136 of title 23 of the United States Code, the Secretary of Commerce shall hold public hearings in each State for the purpose of gathering all relevant information on which to base such standards, criteria, and rules and regulations.

Rules and regulations.
Ante, pp. 1028, 1030.

(b) The Secretary of Commerce shall report to Congress, not later than January 10, 1967, all standards, criteria, and rules and regulations to be applied in carrying out sections 131 and 136 of title 23 of the United States Code.

Report to Congress.

SEC. 304. There is authorized to be appropriated the sum of $500,000 to enable the Secretary of Commerce to carry out his functions under section 135 of title 23 of the United States Code relating to highway safety programs.

Appropriation.
Ante, p. 578.

SEC. 305. Nothing in this Act or the amendments made by this Act shall be construed to authorize the use of eminent domain to acquire any dwelling (including related buildings).

TITLE IV

SEC. 401. Nothing in this Act or the amendments made by this Act shall be construed to authorize private property to be taken or the reasonable and existing use restricted by such taking without just compensation as provided in this Act.

SEC. 402. In addition to any other amounts authorized by this Act and the amendments made by this Act, there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to the Secretary of Commerce not to exceed $5,000,000 for administrative expenses in carrying out this Act (including amendments made by this Act).

Appropriation.

SEC. 403. This Act may be cited as the "Highway Beautification Act of 1965".

Short title.

Approved October 22, 1965, 2:30 p.m.

49-850 O-66—68

Public Law 89-286

October 22, 1965
[H. R. 10238]

AN ACT

To provide labor standards for certain persons employed by Federal contractors to furnish services to Federal agencies, 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 "Service Contract Act of 1965".

Service Contract Act of 1965.

Required contract provisions.

SEC. 2. (a) Every contract (and any bid specification therefor) entered into by the United States or the District of Columbia in excess of $2,500, except as provided in section 7 of this Act, whether negotiated or advertised, the principal purpose of which is to furnish services in the United States through the use of service employees, as defined herein, shall contain the following:

Minimum wages.

(1) A provision specifying the minimum monetary wages to be paid the various classes of service employees in the performance of the contract or any subcontract thereunder, as determined by the Secretary, or his authorized representative, in accordance with prevailing rates for such employees in the locality, which in no case shall be lower than the minimum specified in subsection (b).

Fringe benefits.

(2) A provision specifying the fringe benefits to be furnished the various classes of service employees, engaged in the performance of the contract or any subcontract thereunder, as determined by the Secretary or his authorized representative to be prevailing for such employees in the locality. Such fringe benefits shall include medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, unemployment benefits, life insurance, disability and sickness insurance, accident insurance, vacation and holiday pay, costs of apprenticeship or other similar programs and other bona fide fringe benefits not otherwise required by Federal, State, or local law to be provided by the contractor or subcontractor. The obligation under this subparagraph may be discharged by furnishing any equivalent combinations of fringe benefits or by making equivalent or differential payments in cash under rules and regulations established by the Secretary.

Safe working conditions.

(3) A provision that no part of the services covered by this Act will be performed in buildings or surroundings or under working conditions, provided by or under the control or supervision of the contractor or any subcontractor, which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish the services.

Notice of compensation to employees.

(4) A provision that on the date a service employee commences work on a contract to which this Act applies, the contractor or subcontractor will deliver to the employee a notice of the compensation required under paragraphs (1) and (2) of this subsection, on a form prepared by the Federal agency, or will post a notice of the required compensation in a prominent place at the worksite.

Wage specifications.

(b) (1) No contractor who enters into any contract with the Federal Government the principal purpose of which is to furnish services through the use of service employees as defined herein and no subcontractor thereunder shall pay any of his employees engaged in performing work on such contracts less than the minimum wage specified under section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060; 29 U.S.C. 201, et seq.).

75 Stat. 67.

(2) The provisions of sections 3, 4, and 5 of this Act shall be applicable to violations of this subsection.

SEC. 3. (a) Any violation of any of the contract stipulations required by section 2(a) (1) or (2) or of section 2(b) of this Act shall render the party responsible therefor liable for a sum equal to the amount of any deductions, rebates, refunds, or underpayment of compensation due to any employee engaged in the performance of such contract. So much of the accrued payment due on the contract or any other contract between the same contractor and the Federal Government may be withheld as is necessary to pay such employees. Such withheld sums shall be held in a deposit fund. On order of the Secretary, any compensation which the head of the Federal agency or the Secretary has found to be due pursuant to this Act shall be paid directly to the underpaid employees from any accrued payments withheld under this Act.

Violations, penalties.

(b) In accordance with regulations prescribed pursuant to section 4 of this Act, the Federal agency head or the Secretary is hereby authorized to carry out the provisions of this section.

(c) In addition, when a violation is found of any contract stipulation, the contract is subject upon written notice to cancellation by the contracting agency. Whereupon, the United States may enter into other contracts or arrangements for the completion of the original contract, charging any additional cost to the original contractor.

Contract cancellation.

SEC. 4. (a) Sections 4 and 5 of the Act of June 30, 1936 (49 Stat. 2036), as amended, shall govern the Secretary's authority to enforce this Act, make rules, regulations, issue orders, hold hearings, and make decisions based upon findings of fact, and take other appropriate action hereunder.

Enforcement authority.
41 USC 38, 39.

(b) The Secretary may provide such reasonable limitations and may make such rules and regulations allowing reasonable variations, tolerances, and exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest or to avoid serious impairment of the conduct of Government business.

SEC. 5. (a) The Comptroller General is directed to distribute a list to all agencies of the Government giving the names of persons or firms that the Federal agencies or the Secretary have found to have violated this Act. Unless the Secretary otherwise recommends, no contract of the United States shall be awarded to the persons or firms appearing on this list or to any firm, corporation, partnership, or association in which such persons or firms have a substantial interest until three years have elapsed from the date of publication of the list containing the name of such persons or firms.

List of violators.

(b) If the accrued payments withheld under the terms of the contract are insufficient to reimburse all service employees with respect to whom there has been a failure to pay the compensation required pursuant to this Act, the United States may bring action against the contractor, subcontractor, or any sureties in any court of competent jurisdiction to recover the remaining amount of underpayments. Any sums thus recovered by the United States shall be held in the deposit fund and shall be paid, on order of the Secretary, directly to the underpaid employee or employees. Any sum not paid to an employee because of inability to do so within three years shall be covered into the Treasury of the United States as miscellaneous receipts.

Legal action.

SEC. 6. In determining any overtime pay to which such service employees are entitled under any Federal law, the regular or basic hourly rate of pay of such an employee shall not include any fringe benefit payments computed hereunder which are excluded from the regular rate under the Fair Labor Standards Act by provisions of section 7(d) thereof.

Overtime pay.
63 Stat. 913.
29 USC 207.

SEC. 7. This Act shall not apply to—

Exemptions.

(1) any contract of the United States or District of Columbia for construction, alteration and/or repair, including painting and decorating of public buildings or public works;

41 USC 35 note.

(2) any work required to be done in accordance with the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036);

(3) any contract for the carriage of freight or personnel by vessel, airplane, bus, truck, express, railway line or oil or gas pipeline where published tariff rates are in effect;

48 Stat. 1064.
47 USC 609 and note.

(4) any contract for the furnishing of services by radio, telephone, telegraph, or cable companies, subject to the Communications Act of 1934;

(5) any contract for public utility services, including electric light and power, water, steam, and gas;

(6) any employment contract providing for direct services to a Federal agency by an individual or individuals; and

(7) any contract with the Post Office Department, the principal purpose of which is the operation of postal contract stations.

Definitions.

SEC. 8. For the purposes of this Act—

(a) "Secretary" means Secretary of Labor.

(b) The term "service employee" means guards, watchmen, and any person engaged in a recognized trade or craft, or other skilled mechanical craft, or in unskilled, semiskilled, or skilled manual labor occupations; and any other employee including a foreman or supervisor in a position having trade, craft, or laboring experience as the paramount requirement; and shall include all such persons regardless of any contractual relationship that may be alleged to exist between a contractor or subcontractor and such persons.

(c) The term "compensation" means any of the payments or fringe benefits described in section 2 of this Act.

(d) The term "United States" when used in a geographical sense shall include any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Outer Continental Shelf lands as defined in the Outer Continental Shelf Lands Act, American Samoa, Guam, Wake Island, Eniwetok Atoll, Kwajalein Atoll, Johnston Island, but shall not include any other territory under the jurisdiction of the United States or any United States base or possession within a foreign country.

67 Stat. 462.
43 USC 1331 note.

Effective date.

SEC. 9. This Act shall apply to all contracts entered into pursuant to negotiations concluded or invitations for bids issued on or after ninety days from the date of enactment of this Act.

Approved October 22, 1965.

Public Law 89-287

October 22, 1965
[H. R. 7743]

AN ACT

To establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend post-secondary business, trade, technical, and other vocational schools.

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 Vocational Student Loan Insurance Act of 1965".

National Vocational Student Loan Insurance Act of 1965.

STATEMENT OF PURPOSE AND APPROPRIATIONS AUTHORIZED

SEC. 2. (a) The purpose of this Act is to enable the Commissioner (1) to encourage States and nonprofit private institutions and organizations to establish adequate loan insurance programs for students in eligible institutions (as defined in section 17), (2) to provide a Federal program of student loan insurance for students who do not have reasonable access to a State or private nonprofit program of student loan insurance covered by an agreement under section 9(b), and (3) to pay a portion of the interest on loans to qualified students which are insured under this Act or under a program of a State or of a nonprofit private institution or organization which meets the requirements of section 9(a)(1)(A).

(b) For the purpose of carrying out this Act—

(1) there are authorized to be appropriated to the vocational student loan insurance fund (established by section 13) (A) the sum of $250,000, and (B) such further sums, if any, as may become necessary for the adequacy of the vocational student loan insurance fund,

(2) there are authorized to be appropriated, for payments under section 9 with respect to interest on insured loans, such sums for the fiscal year ending June 30, 1966, and succeeding fiscal years, as may be required therefor, and

(3) there are authorized to be appropriated the sum of $1,875,000 for making advances pursuant to section 3 for the reserve funds of State and nonprofit private student loan insurance programs.

Sums appropriated under clauses (1) and (2) of this subsection shall remain available until expended, and sums appropriated under clause (3) of this subsection shall remain available for advances under section 3 until the close of the fiscal year ending June 30, 1968.

ADVANCES FOR RESERVE FUNDS OF STATE AND NONPROFIT PRIVATE LOAN INSURANCE PROGRAMS

SEC. 3. (a)(1) From the sums appropriated pursuant to clause (3) of section 2(b), the Commissioner is authorized to make advances to any State with which he has made an agreement pursuant to section 9(b) for the purpose of helping to establish or strengthen the reserve fund of the student loan insurance program covered by that agreement. If for any of the fiscal years ending June 30, 1966, June 30, 1967, or June 30, 1968, a State does not have a student loan insurance program covered by an agreement pursuant to section 9(b), and the Commissioner determines after consultation with the chief executive officer of that State that there is no reasonable likelihood that the State will have such a student loan insurance program for such year, the Commissioner may make advances for such year for the same purpose to one or more nonprofit private institutions or organizations with which he has made an agreement pursuant to section 9(b) in order to enable

students in that State to participate in a program of student loan insurance covered by such an agreement. The Commissioner may make advances under this subsection both to a State program with which he has such an agreement and to one or more nonprofit private institutions or organizations with which he has such an agreement in that State if he determines that such advances are necessary in order that students in each eligible institution have access through such institution to a student loan insurance program which meets the requirements of section 9(b)(1).

(2) Advances pursuant to this subsection shall be upon such terms and conditions (including conditions relating to the time or times of payment) consistent with the requirements of section 9(b) as the Commissioner determines will best carry out the purposes of this section. Advances made by the Commissioner under this subsection shall be repaid within such period as the Commissioner may deem to be appropriate in each case in the light of the maturity and solvency of the reserve fund for which the advance was made.

(b) The total of the advances to any State pursuant to subsection (a) may not exceed an amount which bears the same ratio to 2½ per centum of $75,000,000 as the population of that State aged eighteen to twenty-two, inclusive, bears to the total population of all the States aged eighteen to twenty-two, inclusive. If the amount so determined for any State, however, is less than $10,000, it shall be increased to $10,000 and the total of the increases thereby required shall be derived by proportionately reducing (but not below $10,000) the amount so determined for each of the remaining States. Advances to nonprofit private institutions and organizations pursuant to subsection (a) may be in such amounts as the Commissioner determines will best achieve the purposes for which they are made, except that the sum of (1) advances to such institutions and organizations for the benefit of students in any State plus (2) the amounts advanced to such State, may not exceed the maximum amount which may be advanced to that State pursuant to the first two sentences of this subsection. For the purposes of this subsection, the population aged eighteen to twenty-two, inclusive, of each State and of all the States shall be determined by the Commissioner on the basis of the most satisfactory data available to him.

EFFECT OF ADEQUATE NON-FEDERAL PROGRAMS

SEC. 4. The Commissioner shall not issue certificates of insurance under section 11 to lenders in a State if he determines that every eligible institution has reasonable access in that State to a State or private nonprofit student loan insurance program which is covered by an agreement under section 9(b).

SCOPE AND DURATION OF LOAN INSURANCE PROGRAM

SEC. 5. (a) The total principal amount of new loans made and installments paid pursuant to lines of credit (as defined in section 17) to students covered by insurance under this Act shall not exceed $75,000,000 in the fiscal year ending June 30, 1966, and in each of the two succeeding fiscal years. Thereafter, insurance pursuant to this part may be granted only for loans made (or for loan installments paid pursuant to lines of credit) to enable students, who have obtained prior loans insured under this Act, to continue or complete their educational programs; but no insurance may be granted for any loan made or installment paid after June 30, 1972.

(b) The Commissioner may, if he finds it necessary to do so in order to assure an equitable distribution of the benefits of this Act, assign, within the maximum amounts specified in subsection (a), insurance quotas applicable to eligible lenders, or to States or areas, and may from time to time reassign unused portions of these quotas.

LIMITATIONS ON INDIVIDUAL LOANS AND ON INSURANCE

SEC. 6. (a) No loan or loans by one or more eligible lenders in excess of $1,000 in the aggregate to any student in any academic year or its equivalent shall be covered by insurance under this Act. The aggregate insured unpaid principal amount of all such insured loans made to any student shall not at any time exceed $2,000. The annual insurable limit per student shall not be deemed to be exceeded by a line of credit under which actual payments by the lender to the borrower will not be made in any year in excess of the annual limit.

(b) The insurance liability on any loan insured under this Act shall be 100 per centum of the unpaid balance of the principal amount of the loan. Such insurance liability shall not include liability for interest whether or not that interest has been added to the principal amount of the loan.

SOURCES OF FUNDS

SEC. 7. Loans made by eligible lenders in accordance with this Act shall be insurable whether made from funds fully owned by the lender or from funds held by the lender in a trust or similar capacity and available for such loans.

ELIGIBILITY OF STUDENT BORROWERS AND TERMS OF STUDENT LOANS

SEC. 8. (a) A loan by an eligible lender shall be insurable under the provisions of this Act only if—

(1) made to a student who (A) has been accepted for enrollment at an eligible institution or, in the case of a student already attending such institution, is in good standing there as determined by the institution, and (B) is carrying at least one-half of the normal full-time workload as determined by the institution, and (C) has provided the lender with a statement of the institution which sets forth a schedule of the tuition and fees applicable to that student and its estimate of the cost of board and room for such a student; and

(2) evidenced by a note or other written agreement which—

(A) is made without security and without endorsement, except that if the borrower is a minor and such note or other written agreement executed by him would not, under the applicable law, create a binding obligation, endorsement may be required,

(B) provides for repayment (except as provided in subsection (c)) of the principal amount of the loan in installments over a period of not less than three years (unless sooner repaid) nor more than six years beginning not earlier than nine months nor later than one year after the date on which the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution in accordance with regulations of the Commissioner, except (i) as provided in clause (C) below, (ii) that the period of the loan may not exceed nine years from the execution of the note or written agreement

evidencing it and (iii) the note or other written instrument may contain such provisions relating to repayment in the event of default in the payment of interest or in the payment of the cost of insurance premiums, or other default by the borrower, as may be authorized by regulations of the Commissioner in effect at the time the loan is made,

(C) provides that periodic installments of principal need not be paid, but interest shall accrue and be paid, during any period (i) during which the borrower is pursuing a full-time course of study at an institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner, (ii) not in excess of three years, during which the borrower is a member of the Armed Forces of the United States, or (iii) not in excess of three years during which the borrower is in service as a volunteer under the Peace Corps Act, and any such period shall not be included in determining the six-year period or the nine-year period provided in clause (B) above,

75 Stat. 612.
22 USC 2501 note.

(D) provides for interest on the unpaid principal balance of the loan at a yearly rate, not exceeding the applicable maximum rate prescribed and defined by the Secretary (within the limits set forth in subsection (b)) on a national, regional, or other appropriate basis, which interest shall be payable in installments over the period of the loan except that, if provided in the note or other written agreement, any interest payable by the student may be deferred until not later than the date upon which repayment of the first installment of principal falls due, in which case interest that has so accrued during that period may be added on that date to the principal (but without thereby increasing the insurance liability under this Act),

(E) provides that the lender will not collect or attempt to collect from the borrower any portion of the interest on the note which is payable by the Commissioner under this Act,

(F) entitles the student borrower to accelerate without penalty repayment of the whole or any part of the loan, and

(G) contains such other terms and conditions, consistent with the provisions of this Act and with the regulations issued by the Commissioner pursuant to this Act, as may be agreed upon by the parties to such loan, including, if agreed upon, a provision requiring the borrower to pay to the lender, in addition to principal and interest, amounts equal to the insurance premiums payable by the lender to the Commissioner with respect to such loan.

(b) No maximum rate of interest prescribed and defined by the Secretary for the purposes of clause (2)(D) of subsection (a) may exceed 6 per centum per annum on the unpaid principal balance of the loan, except that under circumstances which threaten to impede the carrying out of the purposes of this Act, one or more of such maximum rates of interest may be as high as 7 per centum per annum on the unpaid principal balance of the loan.

(c) The total of the payments by a borrower during any year of any repayment period with respect to the aggregate amount of all loans to that borrower which are insured under this Act shall not be less than $360 or the balance of all such loans (together with interest thereon), whichever amount is less.

FEDERAL PAYMENTS TO REDUCE STUDENT INTEREST COSTS

SEC. 9. (a)(1) Each student who has received a loan—

(A) which is insured under this Act;

(B) which was made for study at an eligible institution under a State student loan program (meeting criteria prescribed by the Commissioner), and which was contracted for, and paid to the student, within the period specified by paragraph (4); or

(C) which is insured under a program of a State or of a non-profit private institution or organization, which was contracted for, and paid to the student, within the period specified in paragraph (4), and which—

(i) in the case of a loan insured prior to July 1, 1967, was made by an eligible lender and is insured under a program which meets the requirements of subparagraph (E) of subsection (b)(1) and provides that repayment of such loan shall be in installments beginning not earlier than sixty days after the student ceases to pursue a course of study (as described in subparagraph (D) of subsection (b)(1)) at an eligible institution, or

(ii) in the case of a loan insured after June 30, 1967, is insured under a program covered by an agreement made pursuant to subsection (b),

and whose adjusted family income is less than $15,000 at the time of execution of the note or written agreement evidencing such loan, shall be entitled to have paid on his behalf and for his account to the holder of the loan, over the period of the loan, a portion of the interest on the loan. For the purposes of this paragraph, the adjusted family income of a student shall be determined pursuant to regulations of the Commissioner in effect at the time of the execution of the note or written agreement evidencing the loan. Such regulations shall provide for taking into account such factors, including family size, as the Commissioner deems appropriate.

(2) The portion of the interest on a loan which a student is entitled to have paid on his behalf and for his account to the holder of the loan pursuant to paragraph (1) shall be equal to the total amount of the interest on the unpaid principal amount of the loan which accrues prior to the beginning of the repayment period of the loan, and 3 per centum per annum of the unpaid principal amount of the loan (excluding interest which has been added to principal) thereafter; but such portion of the interest on a loan shall not exceed, for any period, the amount of the interest on that loan which is payable by the student after taking into consideration the amount of any interest on that loan which the student is entitled to have paid on his behalf for that period under any State or private loan insurance program. In the absence of fraud by the lender, that determination shall be final so far as the obligation of the Commissioner to pay a portion of the interest on a loan is concerned. The holder of a loan with respect to which payments are required to be made under this section shall be deemed to have a contractual right, as against the United States, to receive from the Commissioner the portion of interest which has been so determined. The Commissioner shall pay this portion of the interest to the holder of the loan on behalf of and for the account of the borrower at such times as may be specified in regulations in force when the applicable agreement entered into pursuant to subsection (b) was made, or if the loan was made by a State or is insured under a program which is not covered by such an agreement, at such times as may be specified in regulations in force at the time the loan was paid to the student.

(3) Each holder of a loan with respect to which payments of interest are required to be made by the Commissioner shall submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan.

(4) The period referred to in subparagraphs (B) and (C) of paragraph (1) of this subsection shall begin on the date of enactment of this Act and end on June 30, 1968, except that, in the case of a loan made or insured under a student loan or loan insurance program, to enable a student who has obtained a prior loan made or insured under such program to continue his educational program, such period shall end on June 30, 1972.

(5) No payment may be made under this section with respect to the interest on a loan made from a student loan fund established under title II of the National Defense Education Act of 1958.

72 Stat. 1583. 20 USC 421-429.

(b)(1) Any State or any nonprofit private institution or organization may enter into an agreement with the Commissioner for the purpose of entitling students who receive loans which are insured under a student loan insurance program of that State, institution, or organization to have made on their behalf payments equal to those provided for in subsection (a) if the Commissioner determines that the student loan insurance program—

(A) authorizes the insurance of not less than $1,000 in loans to any individual student in any academic year or its equivalent (as determined under regulations of the Commissioner);

(B) authorizes the insurance of loans to any individual student for at least two academic years of study or their equivalent (as determined under regulations of the Commissioner);

(C) provides that (i) the student borrower shall be entitled to accelerate without penalty the whole or any part of an insured loan, (ii) the period of any insured loan may not exceed nine years from the date of execution of the note or other written evidence of the loan, and (iii) the note or other written evidence of any loan may contain such provisions relating to repayment in the event of default by the borrower as may be authorized by regulations of the Commissioner in effect at the time such note or written evidence was executed;

(D) subject to subparagraph (C), provides that, where the total of the insured loans to any student which are held by any one person exceeds $1,000, repayment of such loans shall be in installments over a period of not less than three years nor more than six years beginning not earlier than nine months nor later than one year after the student ceases to pursue a full-time course of study at an eligible institution, except that if the program provides for the insurance of loans for part-time study at eligible institutions the program shall provide that such repayment period shall begin not earlier than nine months nor later than one year after the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution;

(E) authorizes interest on the unpaid balance of the loan at a yearly rate not in excess of 6 per centum per annum on the unpaid principal balance of the loan (exclusive of any premium for insurance which may be passed on to the borrower);

(F) insures not less than 90 per centum of the unpaid principal of loans insured under the program;

(G) does not provide for collection of an excessive insurance premium;

(H) provides that the benefits of the loan insurance program will not be denied any student because of his family income or lack of need if his adjusted family income at the time the note or written agreement is executed is less than $15,000 (as determined pursuant to the regulations of the Commissioner prescribed under section 9(a)(1));

(I) provides that a student may obtain insurance under the program for a loan for any year of study at an eligible institution; and

(J) in the case of a State program, provides that such State program is administered by a single State agency, or by one or more nonprofit private institutions or organizations under the supervision of a single State agency.

(2) Such an agreement shall—

(A) provide that the holder of any such loan will be required to submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan;

(B) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this Act and as are agreed to by the Commissioner and the State or private organization or institution; and

Reports and records.

(C) provide for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his function under this Act and 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.

DIRECT LOANS

SEC. 10. (a) The Commissioner may make a direct loan to any student who would be eligible for an insured loan under this Act if (1) in the particular area in which the student resides loans which are insurable under this Act are not available at the rate of interest prescribed by the Secretary pursuant to section 8(a)(2)(D) for such area, or (2) the particular student has been unable to obtain an insured loan at a rate of interest which does not exceed such rate prescribed by the Secretary.

(b) Loans made under this section shall bear interest at the rate prescribed by the Secretary under section 8(a)(2)(D) for the area where the student resides, and shall be made on such other terms and conditions as the Commissioner shall prescribe, which shall conform as nearly as practicable to the terms and conditions of loans insured under this Act.

(c) There is authorized to be appropriated the sum of $1,000,000 for the fiscal year ending June 30, 1966 and for each of the four succeeding fiscal years to carry out this section.

CERTIFICATES OF INSURANCE—EFFECTIVE DATE OF INSURANCE

SEC. 11. (a)(1) If, upon application by an eligible lender, made upon such form, containing such information, and supported by such evidence as the Commissioner may require, and otherwise in conformity with this section, the Commissioner finds that the applicant has made a loan to an eligible student which is insurable under the provi-

sions of this Act, he may issue to the applicant a certificate of insurance covering the loan and setting forth the amount and terms of the insurance.

Certificates of insurance. Effective date.

(2) Insurance evidenced by a certificate of insurance pursuant to subsection (a)(1) shall become effective upon the date of issuance of the certificate, except that the Commissioner is authorized, in accordance with regulations, to issue commitments with respect to proposed loans, or with respect to lines (or proposed lines) of credit, submitted by eligible lenders, and in that event, upon compliance with subsection (a)(1) by the lender, the certificate of insurance may be issued effective as of the date when any loan, or any payment by the lender pursuant to a line of credit, to be covered by such insurance was made. Such insurance shall cease to be effective upon sixty days' default by the lender in the payment of any installment of the premiums payable pursuant to subsection (c).

(3) An application submitted pursuant to subsection (a)(1) shall contain (A) an agreement by the applicant to pay, in accordance with regulations, the premiums fixed by the Commissioner pursuant to subsection (c), and (B) an agreement by the applicant that if the loan is covered by insurance the applicant will submit such supplementary reports and statements during the effective period of the loan agreement, upon such forms, at such times, and containing such information as the Commissioner may prescribe by or pursuant to regulation.

Comprehensive certificate.

(b)(1) In lieu of requiring a separate insurance application and issuing a separate certificate of insurance for each student loan made by an eligible lender as provided in subsection (a), the Commissioner may, in accordance with regulations consistent with section 5, issue to any eligible lender applying therefor a certificate of comprehensive insurance coverage which shall, without further action by the Commissioner, insure all insurable loans made by that lender, on or after the date of the certificate and before a specified cutoff date, within the limits of an aggregate maximum amount stated in the certificate. Such regulations may provide for conditioning such insurance, with respect to any loan, upon compliance by the lender with such requirements (to be stated or incorporated by reference in the certificate) as in the Commissioner's judgment will best achieve the purpose of this subsection while protecting the financial interest of the United States and promoting the objectives of this Act, including (but not limited to) provisions as to the reporting of such loans and information relevant thereto to the Commissioner and as to the payment of initial and other premiums and the effect of default therein, and including provision for confirmation by the Commissioner from time to time (through endorsement of the certificate) of the coverage of specific new loans by such certificate, which confirmation shall be incontestable by the Commissioner in the absence of fraud or misrepresentation of fact or patent error.

(2) If the holder of a certificate of comprehensive insurance issued under this subsection grants to a student a line of credit extending beyond the cutoff date specified in that certificate, loans or payments thereon made by the holder after that date pursuant to the line of credit shall not be deemed to be included in the coverage of that certificate except as may be specifically provided therein; but, subject to the limitations of section 5, the Commissioner may, in accordance with regulations, make commitments to insure such future loans or payments, and such commitments may be honored either as provided in subsection (a) or by inclusion of such insurance in comprehensive coverage under this subsection for the period or periods in which such future loans or payments are made.

(c) The Commissioner shall, pursuant to regulations, charge for insurance on each loan under this Act a premium in an amount not to exceed one-fourth of 1 per centum per year of the unpaid principal amount of such loan (excluding interest added to principal), payable in advance, at such time and in such manner as may be prescribed by the Commissioner. Such regulations may provide that such premium shall not be payable, or if paid shall be refundable, with respect to any period after default in the payment of principal or interest or after the borrower has died or become totally and permanently disabled, if (1) notice of such default or other event has been duly given, and (2) request for payment of the loss insured against has been made or the Commissioner has made such payment on his own motion pursuant to section 12(a). Premium charges.

(d) The rights of an eligible lender arising under insurance evidenced by a certificate of insurance issued to it under this section may be assigned as security by such lender only to another eligible lender, and subject to regulation by the Commissioner.

(e) The consolidation of the obligations of two or more insured loans obtained by a student borrower in any fiscal year into a single obligation evidenced by a single instrument of indebtedness shall not affect the insurance by the United States. If the loans thus consolidated are covered by separate certificates of insurance issued under subsection (a), the Commissioner may upon surrender of the original certificates issue a new certificate of insurance in accordance with that subsection upon the consolidated obligation; if they are covered by a single comprehensive certificate issued under subsection (b), the Commissioner may amend that certificate accordingly. Consolidated loans.

PROCEDURE ON DEFAULT, DEATH, OR DISABILITY OF STUDENT

SEC. 12. (a) Upon default by the student borrower on any loan covered by insurance pursuant to this Act, or upon the death of the student borrower or a finding by the insurance beneficiary that the borrower has become totally and permanently disabled (as determined in accordance with regulations established by the Commissioner) before the loan has been repaid in full, and prior to the commencement of suit or other enforcement proceeding upon security for that loan, the insurance beneficiary shall promptly notify the Commissioner, and the Commissioner shall if requested (at that time or after further collection efforts) by the beneficiary, or may on his own motion, if the insurance is still in effect, pay to the beneficiary the amount of the loss sustained by the insured upon that loan as soon as that amount has been determined. The "amount of the loss" on any loan shall, for the purposes of this subsection and subsection (b), be deemed to be an amount equal to the unpaid balance of the principal amount of the loan.

(b) Upon payment by the Commissioner of the insured portion of the loss pursuant to subsection (a), the United States shall be subrogated to all of the rights of the holder of the obligation upon the insured loan and shall be entitled to an assignment of the note or other evidence of the insured loan by the insurance beneficiary. If the net recovery made by the Commissioner on a loan after deduction of the cost of that recovery (including reasonable administrative costs) exceeds the amount of the loss, the excess shall be paid over to the insured.

(c) Nothing in this section or in this Act shall be construed to preclude any forbearance for the benefit of the student borrower which may be agreed upon by the parties to the insured loan and approved by the Commissioner, or to preclude forbearance by the Commissioner

in the enforcement of the insured obligation after payment on that insurance, or to require collection of the amount of any loan by the insurance beneficiary or by the Commissioner from the estate of a deceased borrower or from a borrower found by the insurance beneficiary to have become permanently and totally disabled.

(d) Nothing in this section or in this Act shall be construed to excuse the holder of a loan from exercising reasonable care and diligence in the making and collection of loans under the provisions of this Act. If the Commissioner, after reasonable notice and opportunity for hearing to an eligible lender, finds that it has substantially failed to exercise such care and diligence or to make the reports and statements required under section 9(a)(3) and section 11(a)(3), or to pay the required insurance premiums, he shall disqualify that lender for further insurance on loans granted pursuant to this Act until he is satisfied that its failure has ceased and finds that there is reasonable assurance that the lender will in the future exercise necessary care and diligence or comply with such requirements, as the case may be.

(e) As used in this section—

"Insurance beneficiary."

(1) the term "insurance beneficiary" means the insured or its authorized assignee in accordance with section 11(d); and

"Default."

(2) the term "default" includes only such defaults as have existed for (A) one hundred and twenty days in the case of a loan which is repayable in monthly installments, or (B) one hundred and eighty days in the case of a loan which is repayable in less frequent installments.

INSURANCE FUND

SEC. 13. (a) There is hereby established a vocational student loan insurance fund (hereinafter in this section called the "fund") which shall be available without fiscal year limitation to the Commissioner for making payments in connection with the default of loans insured under this Act. All amounts received by the Commissioner as premium charges for insurance and as receipts, earnings, or proceeds derived from any claim or other assets acquired by the Commissioner in connection with his operations under this Act, and any other moneys, property, or assets derived by the Commissioner from his operations in connection with this section, shall be deposited in the fund. All payments in connection with the default of loans insured under this Act shall be paid from the fund. Moneys in the fund not needed for current operations under this section may be invested in bonds or other obligations guaranteed as to principal and interest by the United States.

Insufficient moneys.

(b) If at any time the moneys in the fund are insufficient to make payments in connection with the default of any loan insured under this Act, the Commissioner is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at 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 of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the

Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include any purchases of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this subsection shall be deposited in the fund and redemption of such notes and obligations shall be made by the Commissioner from such fund.

40 Stat. 288.
31 USC 774.

LEGAL POWERS AND RESPONSIBILITIES

SEC. 14. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this Act, the Commissioner may—

(1) prescribe such regulations as may be necessary to carry out the purposes of this Act;

(2) sue and be sued in any court of record of a State having general jurisdiction or in any district court of the United States, and such district courts shall have jurisdiction of civil actions arising under this Act with out regard to the amount in controversy, and any action instituted under this subsection by or against the Commissioner shall survive notwithstanding any change in the person occupying the office of Commissioner or any vacancy in that office; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Commissioner or property under his control, and nothing herein shall be construed to except litigation arising out of activities under this Act from the application of sections 507(b) and 2679 of title 28 of the United States Code and of section 367 of the Revised Statutes (5 U.S.C. 316);

62 Stat. 910, 984; 75 Stat. 539.

(3) include in any contract for insurance such terms, conditions, and covenants relating to repayment of principal and payment of interest, relating to his obligations and rights and to those of eligible lenders, and borrowers in case of default, and relating to such other matters as the Commissioner determines to be necessary to assure that the purposes of this Act will be achieved; and any term, condition, and covenant made pursuant to this clause or any other provisions of this Act may be modified by the Commissioner if he determines that modification is necessary to protect the financial interest of the United States;

(4) subject to the specific limitations in this Act, consent to the modification, with respect to rate of interest, time of payment of any installment of principal and interest or any portion thereof, or any other provision of any note or other instrument evidencing a loan which has been insured under this Act;

(5) enforce, pay, or compromise, any claim on, or arising because of, any such insurance; and

(6) enforce, pay, compromise, waive, or release any right, title, claim, lien, or demand, however acquired, including any equity or any right or redemption.

(b) The Commissioner shall, with respect to the financial operations arising by reason of this Act—

(1) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act; and

Budget program, submission.
59 Stat. 597.

(2) maintain with respect to insurance under this Act an integral set of accounts, which shall be audited annually by the

31 USC 841 note.
Audit.

General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions, as provided by section 105 of the Government Corporation Control Act, except that the transactions of the Commissioner, including the settlement of insurance claims and of claims for payments pursuant to section 9, and transactions related thereto and vouchers approved by the Commissioner in connection with such transactions, shall be final and conclusive upon all accounting and other officers of the Government.

59 Stat. 599.
31 USC 850.

ADVISORY COUNCIL ON INSURED LOANS TO VOCATIONAL STUDENTS

SEC. 15. (a) The Secretary shall establish in the Office of Education an Advisory Council on Insured Loans to Vocational Students, consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Secretary. The membership of the Council shall include persons representing State loan insurance programs, private nonprofit loan insurance programs, financial and credit institutions, and eligible institutions.

(b) The Advisory Council shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this Act, including policies and procedures governing the making of advances under section 3, the Federal payments to reduce student interest costs under section 9 and the making of loans under section 10.

Members, compensation.

(c) Members of the Advisory Council, while attending meetings or conferences of such Council, or otherwise engaged in the business of such Council, shall be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and while so serving on the business of the Advisory Council 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 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.

PARTICIPATION BY FEDERAL CREDIT UNIONS IN FEDERAL, STATE, AND PRIVATE STUDENT LOAN INSURANCE PROGRAMS

SEC. 16. Notwithstanding any other provision of law, Federal credit unions shall, pursuant to regulations of the Director of the Bureau of Federal Credit Unions, have power to make insured loans up to 5 per centum of their assets, to student members in accordance with the provisions of this Act or in accordance with the provisions of any State or nonprofit private student loan insurance program with respect to which there is in effect an agreement with the Commissioner under section 9(b).

DEFINITIONS

SEC. 17. As used in this Act—

(a) The term "eligible institution" means a business or trade school, or technical institution or other technical or vocational school, in any State, which (1) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (2) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; (3) has been in existence for two years or has been specially accredited by

the Commissioner as an institution meeting the other requirements of this subsection; and (4) is accredited (A) by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause, (B) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Commissioner pursuant to this clause, and (C) if the Commissioner determines there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by him and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools in order for loans to students attending them to be insurable under this Act and shall also determine whether particular schools meet those standards. For the purpose of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations and State agencies which he determines to be reliable authority as to the quality of education or training afforded.

(b) The term "eligible lender" means an eligible institution, an agency or instrumentality of a State, or a financial or credit institution (including an insurance company) which is subject to examination and supervision by an agency of the United States or of any State.

(c) The term "line of credit" means an arrangement or agreement between the lender and the borrower whereby a loan is paid out by the lender to the borrower in annual installments, or whereby the lender agrees to make, in addition to the initial loan, additional loans in subsequent years.

(d) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(e) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(f) The term "Commissioner" means the Commissioner of Education.

Approved October 22, 1965.

49-850 O-66—69

Public Law 89-288

October 22, 1965
[H. R. 7484]

AN ACT

To amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as Surgeons General.

Armed Forces. Surgeons General, rank. 70A Stat. 163.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3036(b) of title 10, United States Code, is amended by striking out the second sentence and inserting in place thereof the following sentences: "Each officer covered by the preceding sentence, except the Surgeon General, shall be appointed in the regular grade of major general. The Surgeon General, while so serving, has the grade of lieutenant general."

SEC. 2. Section 3962(a) of title 10, United States Code, is amended to read as follows:

"(a) Upon retirement, a commissioned officer of the Regular Army who has served (1) as Chief of Staff to the President, (2) as Chief of Staff of the Army, (3) as a senior member of the Military Staff Committee of the United Nations, (4) in a position of importance and responsibility designated by the President to carry the grade of general or lieutenant general under section 3066 of this title, or (5) as Surgeon General of the Army in the grade of lieutenant general may, in the discretion of the President, be retired, by and with the advice and consent of the Senate, in the highest grade held by him at any time on the active list."

SEC. 3. Section 5133(b) of title 10, United States Code, is amended to read as follows:

"(b) Except for an officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title, an officer who is retired while serving as a chief of bureau, or who, after serving at least two and one-half years as a chief of bureau, 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 of rear admiral or major general, as appropriate, and with retired pay based on that grade. If he is retired with the grade of rear admiral, he is entitled to the retired pay of a rear admiral in the upper half of that grade. An officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title may, upon retirement, be appointed by the President, by and with the advice and consent of the Senate, to the highest grade held by him while on the active list and with retired pay based on that grade."

SEC. 4. Section 5137(a) of title 10, United States Code, is amended by adding the following sentence: "The Surgeon General, while so serving, has the grade of vice admiral."

10 USC 8031-8035.

SEC. 5. (a) Chapter 805 of title 10, United States Code, is amended by adding the following section:

"§ 8036. Surgeon General: appointment, grade

"There is a Surgeon General of the Air Force who is appointed by the President by and with the advice and consent of the Senate from officers of the Air Force who are designated as medical officers under section 8067(a) of this title. The Surgeon General, while so serving, has the grade of lieutenant general."

(b) The analysis of chapter 805 of title 10, United States Code, is amended by inserting the following item:

"8036. Surgeon General: appointment, grade."

SEC. 6. Section 8962(a) of title 10, United States Code, is amended to read as follows:

"(a) Upon retirement, a commissioned officer of the Regular Air Force who has served (1) as Chief of Staff to the President, (2) as Chief of Staff of the Air Force, (3) as a senior member of the Military Staff Committee of the United Nations, (4) in a position of importance and responsibility designated by the President to carry the grade of general or lieutenant general under section 8066 of this title, or (5) as Surgeon General of the Air Force in the grade of lieutenant general may, in the discretion of the President, be retired, by and with the advice and consent of the Senate, in the highest grade held by him at any time on the active list."

70A Stat. 494.

Approved October 22, 1965.

Public Law 89-289

AN ACT

October 22, 1965
[H. R. 7169]

To amend the Securities Act of 1933 with respect to certain registration fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) is amended by striking out "one one-hundredth" and inserting in lieu thereof "one-fiftieth", and by striking out "$25." and inserting in lieu thereof "$100."

48 Stat. 78.

SEC. 2. The amendments made by the first section of this Act shall take effect January 1, 1966.

Effective date.

Approved October 22, 1965.

Public Law 89-290

October 22, 1965
[H. R. 3141]

AN ACT

To amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that Act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that Act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes.

Health Professions Educational Assistance 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 "Health Professions Educational Assistance Amendments of 1965".

EDUCATIONAL IMPROVEMENT GRANTS AND SCHOLARSHIP GRANTS TO SCHOOLS OF MEDICINE, DENTISTRY, OSTEOPATHY, OPTOMETRY, AND PODIATRY

70 Stat. 717; 77 Stat. 164, 282.
42 USC 292 *et seq.*

SEC. 2. (a) Title VII of the Public Health Service Act is amended by adding at the end thereof the following new parts:

"PART E—GRANTS TO IMPROVE THE QUALITY OF SCHOOLS OF MEDICINE, DENTISTRY, OSTEOPATHY, OPTOMETRY, AND PODIATRY

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 770. There are authorized to be appropriated $20,000,000 for the fiscal year ending June 30, 1966, $40,000,000 for the fiscal year ending June 30, 1967, $60,000,000 for the fiscal year ending June 30, 1968, and $80,000,000 for the fiscal year ending June 30, 1969, for grants under this part to assist schools of medicine, dentistry, osteopathy, optometry, and podiatry to improve the quality of their educational programs.

"BASIC IMPROVEMENT GRANTS

"SEC. 771. (a) Subject to the provisions of subsection (b), the Surgeon General may make basic improvement grants as follows:

"(1) For the fiscal year ending June 30, 1966, each school of medicine, dentistry, osteopathy, optometry, or podiatry whose application for a basic improvement grant for such year has been approved by the Surgeon General shall be paid the sum of $12,500 plus the product obtained by multiplying $250 by the number of full-time students in such school.

"(2) For each fiscal year in the period beginning July 1, 1966, and ending June 30, 1969, each such school whose application has been approved for such a grant for such year shall be paid the sum of $25,000 plus the product obtained by multiplying $500 by the number of full-time students in such school.

Enrollment increase requirement.

"(b) The Surgeon General shall not make a grant under this section to any school 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 first-year enrollment of full-time students in such school will exceed the highest first-year enrollment of such students in such school for any of the five school years during the period July 1, 1960, through July 1, 1965, by at least 2½ per centum of such highest first-year enrollment, or by five students, whichever is greater. The requirements of this subsection shall be in addition to the requirements of section 721(c)(2)(D) of this Act, where applicable. The Surgeon General is authorized to waive (in whole or in part) the provisions of this subsection

42 USC 293a.

if he determines, after consultation with the National Advisory Council on Medical, Dental, and Optometric, and Podiatric Education, that the required increase in first-year enrollment of full-time students in a school cannot, because of limitations of physical facilities available to the school for training, be accomplished without lowering the quality of training for such students.

"(c) For purposes of this part and part F, regulations of the Surgeon General shall include provisions relating to determination of the number of students enrolled in a school, or in a particular year-class in a school, as the case may be, on the basis of estimates, or on the basis of the number of students enrolled in a school, or in a particular year-class in a school, in an earlier year, as the case may be, or on such basis as he deems appropriate for making such determination, and shall include methods of making such determinations when a school or a year-class was not in existence in an earlier year at a school.

"(d) For purposes of this part and part F, the term 'full-time students' (whether such term is used by itself or in connection with a particular year-class) means students pursuing a full-time course of study leading to a degree of doctor of medicine, doctor of dentistry or an equivalent degree, doctor of osteopathy, doctor of optometry or an equivalent degree, or doctor of podiatry or an equivalent degree. "Full-time students."

"SPECIAL IMPROVEMENT GRANTS

"SEC. 772. (a) From the sums appropriated under section 770 for any fiscal year and not required for making grants under section 771, the Surgeon General may make an additional grant for such year to any school of medicine, dentistry, osteopathy, optometry, or podiatry which has an approved application therefor and for which an application has been approved under section 771, if he determines that the requirements of subsection (b) are satisfied in the case of such applicant.

"(b) No special improvement grant shall be made under this section unless such grant is recommended by the National Advisory Council on Medical, Dental, Optometric, and Podiatric Education and the Surgeon General determines that such grant will be utilized by the recipient school (1) to contribute toward the maintenance of, or to provide for, accreditation, or (2) to contribute toward the maintenance of, or to provide for, specialized functions which the school serves.

"(c) No grant to any school under this section may exceed $100,000 for the fiscal year ending June 30, 1966; $200,000 for the fiscal year ending June 30, 1967; $300,000 for the fiscal year ending June 30, 1968; or $400,000 for the fiscal year ending June 30, 1969. Limitation.

"APPLICATIONS FOR GRANTS

"SEC. 773. (a) 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 grants under section 771 or 772 for any fiscal year must be filed.

"(b) To be eligible for a grant under this part, the applicant must (1) be a public or other nonprofit school of medicine, dentistry, osteopathy, optometry, or podiatry, and (2) be accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education, except that the requirement of this clause (2) shall be deemed to be satisfied if, (A) in the case of a school which by reason of no, or an insufficient, period of operation is not, at the time of application for a grant under this part, eligible for such accreditation, the

Commissioner finds, after consultation with the appropriate accreditation body or bodies, that there is reasonable assurance that the school will meet the accreditation standards of such body or bodies prior to the beginning of the academic year following the normal graduation date of students who are in their first year of instruction at such school during the fiscal year in which the Surgeon General makes a final determination as to approval of the application, or (B) in the case of any other school, the Commissioner finds after such consultation and after consultation with the Surgeon General that there is reasonable ground to expect that, with the aid of a grant or grants under this part, having regard for the purposes of the grant sought, such school will meet such accreditation standards within a reasonable time.

"(c) The Surgeon General shall not approve or disapprove any application for a grant under this part except after consultation with the National Advisory Council on Medical, Dental, Optometric, and Podiatric Education (established by section 774).

"(d) A grant under this part may be made only if the application therefor—

"(1) is approved by the Surgeon General upon his determination that the applicant meets the eligibility conditions set forth in subsection (b) of this section;

"(2) contains or is supported by assurances satisfactory to the Surgeon General that the applicant will expend in carrying out its functions as a school of medicine, dentistry, osteopathy, optometry, or podiatry, as the case may be, 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;

"(3) contains such additional information as the Surgeon General may require to make the determinations required of him under this part and such assurances as he may find necessary to carry out the purposes of this part; and

"(4) 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 part.

"(e) In considering applications for grants under section 772, 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 set forth in clauses (1) or (2) of subsection (b) of section 772 and in contributing to an equitable geographical distribution of schools offering high-quality training of physicians, dentists, optometrists, and podiatrists.

"NATIONAL ADVISORY COUNCIL ON MEDICAL, DENTAL, OPTOMETRIC, AND PODIATRIC EDUCATION

Membership.

"SEC. 774. (a) There is hereby established in the Public Health Service a National Advisory Council on Medical, Dental, Optometric, and Podiatric Education consisting of the Surgeon General, who shall be Chairman, and twelve members appointed without regard to the civil service laws by the Surgeon General with the approval of the Secretary of Health, Education, and Welfare, and such appointments may be made for specified staggered terms. The appointed members

of the Council shall be selected from among leading authorities in the fields of medical, dental, optometric, and podiatric education, respectively, except that not less than three of such members shall be selected from the general public.

"(b) The Council shall advise the Surgeon General in the preparation of general regulations and with respect to policy matters arising in the administration of this part and part F, and in the review of applications under this part.

"(c) The Surgeon General is authorized to use the services of any member or members of the Council in connection with matters related to the administration of this part or part F, for such periods, in addition to conference periods, as he may determine.

"(d) Appointed members of the Council, while attending conferences or meetings of the Council or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at rates to be fixed by the Secretary but not exceeding $100 per day, including travel time; 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 by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Compensation; travel expenses.

60 Stat. 808; 75 Stat. 339, 340.

"PART F—SCHOLARSHIP GRANTS TO SCHOOLS OF MEDICINE, OSTEOPATHY, DENTRISTRY, OPTOMETRY, PODIATRY, OR PHARMACY

"SCHOLARSHIP GRANTS

"SEC. 780. (a) The Surgeon General shall make grants as provided in this part to each public or other nonprofit school of medicine, osteopathy, dentistry, optometry, podiatry, or pharmacy, which is accredited as provided in section 721(b)(1)(B) or section 773(b)(2), for scholarships to be awarded annually by such school to students thereof.

Post, p. 1058.
Ante, p. 1053.

"(b) The amount of the grant under subsection (a) to each such school shall be equal to $2,000 multiplied (1) for the fiscal year ending June 30, 1966, by one-tenth of the number of full-time first-year students of such school; (2) for the fiscal year ending June 30, 1967, by one-tenth of the number of full-time first-year students and second-year students of such school; (3) for the fiscal year ending June 30, 1968, by one-tenth of the number of full-time first-year students, second-year students, and third-year students of such school; and (4) for the fiscal year ending June 30, 1969, by one-tenth of the number of full-time students of such school. For the fiscal year ending June 30, 1970, and for each of the two succeeding fiscal years, the grant under subsection (a) shall be such amount as may be necessary to enable such school to continue making payments under scholarship awards to students who initially received such awards out of grants made to the school for fiscal years ending prior to July 1, 1969.

"(c)(1) Scholarships may be awarded by schools from grants under subsection (a)—

Recipients, eligibility.

"(A) only to individuals who have been accepted by them for enrollment as full-time first-year students, in the case of awards from such grants for the fiscal year ending June 30, 1966;

"(B) only to individuals who have been so accepted, and individuals enrolled and in good standing as full-time second-year students, in the case of awards from such grants for the fiscal year ending June 30, 1967;

"(C) only to individuals who have been so accepted, and individuals enrolled and in good standing as full-time second-year or

third-year students, in the case of awards from such grants for the fiscal year ending June 30, 1968;

"(D) only to individuals who have been so accepted, and individuals enrolled and in good standing as full-time students, in the case of awards from such grants for the fiscal year ending June 30, 1969; and

"(E) only to individuals enrolled and in good standing as full-time students who initially received scholarship awards out of such grants for a fiscal year ending prior to July 1, 1969, in the case of awards from such grants for the fiscal year ending June 30, 1970, or the two succeeding fiscal years.

"(2) Scholarships from grants under subsection (a) for any school year shall be awarded only to students from low-income families who, without such financial assistance could not pursue a course of study at the school for such year. Any such scholarship awarded for a school year shall cover such portion of the student's tuition, fees, books, equipment, and living expenses at the school making the award, but not to exceed $2,500 for any year, as such school may determine the student needs for such year on the basis of his requirements and financial resources.

"(d) Grants under subsection (a) shall be made in accordance with regulations prescribed by the Surgeon General after consultation with the National Advisory Council on Medical, Dental, Optometric, and Podiatric Education.

"(e) Grants under subsection (a) may be paid in advance or by way of reimbursement, and at such intervals as the Surgeon General may find necessary; and with appropriate adjustments on account of overpayments or underpayments previously made."

77 Stat. 169.
42 USC 293d.

(b) Section 724 of such Act (containing definitions) is amended by striking out "As used in this part" and inserting in lieu thereof "As used in this part and parts C, E, and F"; and section 740(a) of such Act is amended by striking out "(as defined in section 724)".

42 USC 294.

EXTENSION OF CONSTRUCTION PROGRAM FOR MEDICAL, DENTAL, AND OTHER HEALTH PROFESSION SCHOOLS

42 USC 293.

SEC. 3. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1966, section 720 of such Act is amended to read as follows:

Appropriation.

"SEC. 720. There are hereby authorized to be appropriated $480,000,000 for the three fiscal years in the period beginning July 1, 1966, and ending June 30, 1969, of which not more than $160,000,000 may be available for grants before July 1, 1967, and not more than $320,000,000 may be available for grants before July 1, 1968, for—

"(1) grants to assist in the construction of new teaching facilities for the training of physicians, pharmacists, optometrists, podiatrists, or professional public health personnel;

"(2) grants to assist in the construction of new teaching facilities for the training of dentists; and

"(3) grants to assist in the replacement or rehabilitation of existing teaching facilities for the training of physicians, pharmacists, optometrists, podiatrists, professional public health personnel, or dentists.

Sums so appropriated shall remain available until expended."

42 USC 293a.

(b) Subsection (a) of section 721 of such Act is amended to read as follows:

"(a) 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 grants under this part for any fiscal year must be filed."

(c) Section 721(c)(2)(D) of such Act is amended by inserting immediately before the semicolon at the end thereof the following: ", and the requirements of this clause (D) shall be in addition to the requirements of section 771(b) of this Act, where applicable". 77 Stat. 166. 42 USC 293a. *Ante*, p. 1052.

EXTENSION OF, AND IMPROVEMENTS IN, PROGRAM FOR STUDENT LOANS

SEC. 4. (a) Subsection (b)(4) of section 740 of such Act is amended by striking out "July 1, 1966" and inserting in lieu thereof "July 1, 1969". 42 USC 294.

(b)(1) Subsection (a) of section 741 of such Act is amended by striking out "may not exceed $2,000" and inserting in lieu thereof "may not exceed $2,500". 42 USC 294a.

(2) Section 741 of such Act is further amended (A) by redesignating subsections "(f)", "(g)", and "(h)" thereof as subsections "(g)", "(h)", and "(i)", respectively, and (B) by adding immediately after subsection (e) thereof the following new subsection:

"(f)" Where any person who obtained one or more loans from a loan fund established under this part—

"(1) engages in the practice of medicine, dentistry, optometry, or osteopathy in an area in a State determined by the appropriate State health authority, in accordance with regulations provided by the Secretary, to have a shortage of and need for physicians, optometrists or dentists; and

"(2) the appropriate State health authority certifies to the Secretary of Health, Education, and Welfare in such form and at such times as the Secretary may prescribe that such practice helps to meet the shortage of and need for physicians, optometrists or dentists in the area where the practice occurs; then 10 per centum of the total of such loans, plus accrued interest on such amount, which are unpaid as of the date that such practice begins, shall be canceled thereafter for each year of such practice, up to a total of 50 per centum of such total, plus accrued interest thereon."

(c) Subsection (a) of section 742 of such Act is amended (1) by inserting "(other than section 744)" after "to carry out this part", and (2) by striking out that part of the first sentence that follows "June 30, 1966," and inserting in lieu thereof the following: "and $25,000,000 each for the fiscal year ending June 30, 1967, and the two succeeding fiscal years. There are further authorized to be appropriated to the Secretary such sums for the fiscal year ending June 30, 1970, and each of the two succeeding fiscal years as may be necessary to enable students who have received a loan under this part for any academic year ending before July 1, 1969, to continue or complete their education." 42 USC 294b.

(d) Section 743 of such Act is amended by striking out "1969" wherever it appears therein and inserting in lieu thereof "1972". 42 USC 294c.

(e) Section 744 of such Act is amended by adding at the end thereof the following new sentences: "There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section, but not to exceed a total of $1,500,000. Loans made by the Surgeon General under this section shall mature within such 42 USC 294d.

period as may be determined by the Surgeon General to be appropriate in each case, but not exceeding fifteen years."

77 Stat. 170.
42 USC 294.

(f)(1) Subsection (a) of section 740 of such Act is amended by inserting "pharmacy, podiatry," immediately after "dentistry,".

(2) Subsection (b)(4) of section 740 of such Act is amended by inserting immediately after "doctor of osteopathy," the following: "bachelor of science in pharmacy or doctor of pharmacy, doctor of podiatry or doctor of surgical chiropody,".

42 USC 294a.

(3) Subsection (b) of section 741 of such Act is amended by inserting immediately after "doctor of osteopathy," the following: "bachelor of science in pharmacy or doctor of pharmacy, doctor of podiatry or doctor of surgical chiropody,".

(4) Subsection (c) of such section 741 is amended by inserting "pharmacy, podiatry," immediately after "dentistry,".

Effective date.

(5) The amendments made by paragraphs (1), (2), (3), and (4) of this subsection shall only be effective with respect to periods beginning on or after July 1, 1966.

Interest rate.

(g)(1) Subsection (e) of section 741 of such Act is amended by adding at the end thereof the following sentence: "Notwithstanding the foregoing provisions of this subsection, the rate of interest determined in accordance with such provisions for the first loan obtained by a student from a loan fund established under this part shall also apply to any subsequent loan to such student from such fund during his course of study."

78 Stat. 914.
42 USC 297b.

(2) Paragraph (5) of section 823(b) of such Act is amended by inserting immediately before the semicolon at the end thereof a colon and the following: "*Provided*, That notwithstanding the foregoing provisions of this paragraph, the rate of interest determined in accordance with such provisions for the first loan obtained by a student from a loan fund established under this part shall also apply to any subsequent loan to such student from such fund during his course of study".

TECHNICAL AMENDMENTS

77 Stat. 165.
42 USC 293a.

SEC. 5. (a) Clause (B) of section 721(b)(1) of such Act (relating to the accreditation of new schools of medicine, etc.) is amended by (1) striking out ", upon completion of such facility," and (2) inserting the following after "meet the accreditation standards of such body or bodies": "(i) prior to the beginning of the academic year following the normal graduation date of the first entering class in such school or (ii) 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."

78 Stat. 918.
42 USC 298b.

(b) Section 843(f) of such Act (relating to accreditation of new schools of nursing), is amended (1) by striking out "any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education" and inserting in lieu thereof the following: "any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education, or a program accredited for the purpose of this Act by the Commissioner of Education", and (2) by striking out "new school" and the remainder of such clause and inserting in lieu thereof the following: "new school (which shall include a school that has not had a sufficient period of operation to be eligible for accreditation), (A) upon completion of such project and other construction projects (if any) then under construction or planned and to be commenced within a reasonable time, or (B) if later, then prior to the beginning of the first academic year following the normal graduation date of the first entering class in such school;".

Approved October 22, 1965.

Public Law 89-291

AN ACT

October 22, 1965
[S. 597]

To amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities.

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

Medical Library Assistance Act of 1965.

SECTION 1. This Act may be cited as the "Medical Library Assistance Act of 1965".

58 Stat. 691.
42 USC 241-280a.

SEC. 2. Title III of the Public Health Service Act is amended by inserting at the end thereof the following new part:

"PART I—ASSISTANCE TO MEDICAL LIBRARIES

"DECLARATION OF POLICY AND STATEMENT OF PURPOSE

"SEC. 390. (a) The Congress hereby finds and declares that (1) the unprecedented expansion of knowledge in the health sciences within the past two decades has brought about a massive growth in the quantity, and major changes in the nature of, biomedical information, materials, and publications; (2) there has not been a corresponding growth in the facilities and techniques necessary adequately to coordinate and disseminate among health scientists and practitioners the ever-increasing volume of knowledge and information which has been developed in the health science field; (3) much of the value of the ever-increasing volume of knowledge and information which has been, and continues to be, developed in the health science field will be lost unless proper measures are taken in the immediate future to develop facilities and techniques necessary to collect, preserve, store, process, retrieve, and facilitate the dissemination and utilization of, such knowledge and information.

"(b) It is therefore the policy of this part to—

"(1) assist in the construction of new, and the renovation, expansion, or rehabilitation of existing medical library facilities;

"(2) assist in the training of medical librarians and other information specialists in the health sciences;

"(3) assist, through the awarding of special fellowships to physicians and other practitioners in the sciences related to health and scientists, in the compilation of existing, and the creation of additional, written matter which will facilitate the distribution and utilization of knowledge and information relating to scientific, social, and cultural advancements in sciences related to health;

"(4) assist in the conduct of research and investigations in the field of medical library science and related activities, and in the development of new techniques, systems, and equipment for processing, storing, retrieving, and distributing information in the sciences related to health;

"(5) assist in improving and expanding the basic resources of medical libraries and related facilities;

"(6) assist in the development of a national system of regional medical libraries each of which would have facilities of sufficient depth and scope to supplement the services of other medical libraries within the region served by it; and

"(7) provide financial support to biomedical scientific publications.

"DEFINITIONS

"SEC. 391. As used in this part—

"(1) the term 'sciences related to health' includes medicine, osteopathy, dentistry, and public health, and fundamental and applied sciences when related thereto;

"(2) the terms 'National Medical Libraries Assistance Advisory Board' and 'Board' mean the Board of Regents of the National Library of Medicine established under section 373(a) of this Act;

70 Stat. 960.
42 USC 277.

"(3) the terms 'construction' and 'cost of construction', when used with reference to any medical library facility, include (A) the construction of new buildings, and the expansion, remodeling, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings (whether or not expanded, remodeled, or altered) for use as a library (including provision of automatic data processing equipment), but not with books, pamphlets, or related material;

"(4) the term 'medical library' means a library related to the sciences related to health.

"NATIONAL MEDICAL LIBRARIES ASSISTANCE BOARD

"SEC. 392. (a) The Board of Regents of the National Library of Medicine established pursuant to section 373(a) shall, in addition to its functions prescribed under section 373, constitute and serve as the National Medical Libraries Assistance Advisory Board (hereinafter in this part referred to as the 'Board').

Functions.

"(b) The Board shall—

"(1) advise and assist the Surgeon General in the preparation of general regulations and with respect to policy matters arising in the administration of this part, and

"(2) consider all applications for construction grants under this part and make to the Surgeon General such recommendations as it deems advisable with respect to (A) the approval of such applications, and (B) the amount which should be granted to each applicant whose application, in its opinion, should be approved.

"(c) The Surgeon General is authorized to use the services of any member or members of the Board, in connection with matters related to the administration of this part, for such periods, in addition to conference periods, as he may determine.

Members, compensation.

"(d) Appointed members of the Board who are not otherwise in the employ of the United States, while attending conferences of the Board or otherwise serving at the request of the Surgeon General in connection with the administration of this part, shall be entitled to receive compensation, per diem in lieu of subsistence, and travel expenses in the same manner and under the same conditions as that prescribed under section 373(d), when attending conferences, traveling, or serving at the request of the Surgeon General in connection with the administration of part H which deals with the National Library of Medicine.

Post, p. 1067.

42 USC 275-280a.

"ASSISTANCE FOR CONSTRUCTION OF FACILITIES

Construction grants.

"SEC. 393. (a) In carrying out the purposes of section 390(b)(1), the Surgeon General may, upon application of any public or private nonprofit agency or institution, make grants to such agency or institution toward the cost of construction of any medical library facility to be constructed by such agency or institution.

Conditions for approval.

"(b) A grant under this section may be made only if the application therefor is recommended for approval by the Board and is approved by the Surgeon General upon his determination that—

"(1) the application contains or is supported by reasonable assurances that (A) for not less than twenty years after completion of construction, the facility will be used as a medical library

facility, (B) subject to subsection (c), sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, and (C) sufficient funds will be available, when construction is completed, for effective use of the facility for the purpose for which it is being constructed;

"(2) the proposed construction is necessary to meet the demonstrated needs for additional or improved medical library facilities in the community or area in which the proposed construction is to take place;

"(3) 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 projects of the type covered by the Davis-Bacon Act, as amended, 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 paragraph, 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.

5 USC 133z-15 note.

63 Stat. 108.

"(c) Within such aggregate monetary limit as the Surgeon General may prescribe, after consultation with the Board, applications which (solely by reason of the inability of the applicants to give the assurance required by clause (B) of subsection (b)(1)) fail to meet the requirements for approval set forth in subsection (b) may be approved upon condition that the applicants give the assurance required by such clause (B) within a reasonable time and upon such other reasonable terms and conditions as he may determine after consultation with the Board.

"(d) In acting upon applications for grants under this section, the Board and the Surgeon General shall take into consideration the relative effectiveness of the proposed facilities in meeting demonstrated needs for additional or improved medical library services, and shall give priority to applications for construction of facilities for which the need is greatest.

"(e) The amount of any grant made under this section shall be that recommended by the Board or such lesser amount as the Surgeon General determines to be appropriate; except that in no event may such amount exceed 75 per centum of the necessary cost of the construction of such facility as determined by him.

"(f) 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 subsection (e), and shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine. Such payments shall be made through the disbursement facilities of the Department of the Treasury. 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.

"(g) 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 (1) 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 grants authorized under this section, and (2) the amount of any non-Federal

funds required to be expended as a condition of such other Federal grant.

Recovery of Federal funds.

"(h) If, within twenty 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 institution, or

"(2) the facility shall cease to be used for medical library purposes, unless the Surgeon General determines, in accordance with regulations prescribed by him after consultation with the Board, that there is good cause for releasing the applicant or other owner from the obligation to do so,

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.

Appropriation.

"(i) For the purposes of carrying out the provisions of this section, there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1967, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $10,000,000 for any fiscal year, as may be necessary.

"GRANTS FOR TRAINING IN MEDICAL LIBRARY SCIENCES

Appropriation.

"SEC. 394. (a) In order to enable the Surgeon General to carry out the purposes of section 390(b)(2), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $1,000,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Surgeon General in making grants—

"(1) to individuals to enable them to accept traineeships and fellowships leading to postbaccalaureate academic degrees in the field of medical library science, in related fields pertaining to sciences related to health, or in the field of the communication of information;

"(2) to individuals who are librarians or specialists in information on sciences relating to health, to enable them to undergo intensive training or retraining so as to attain greater competence in their occupations (including competence in the fields of automatic data processing and retrieval);

"(3) to assist appropriate public and private nonprofit institutions in developing, expanding, and improving, training programs in library science and the field of communications of information pertaining to sciences relating to health; and

"(4) to assist in the establishment of internship programs in established medical libraries meeting standards which the Surgeon General shall prescribe.

"(b) Payment pursuant to grants made under this section may be made in advance or by way of reimbursement and in such installments as the Surgeon General shall prescribe by regulations after consultation with the Board.

"ASSISTANCE TO SPECIAL SCIENTIFIC PROJECTS

Fellowships, establishment. Appropriation.

"SEC. 395. In order to enable the Surgeon General to carry out the purposes of section 390(b)(3), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June

30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $500,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Surgeon General for the establishment of special fellowships to be awarded to physicians and other practitioners in the sciences related to health and scientists for the compilation of existing, or writing of original, contributions relating to scientific, social, or cultural, advancements in sciences related to health. In establishing such fellowships, the Surgeon General shall make appropriate arrangements whereby the facilities of the National Library of Medicine and the facilities of libraries of public and private nonprofit institutions of higher learning may be made available in connection with the projects for which such fellowships are established.

"RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS

"SEC. 396. (a) In order to enable the Surgeon General to carry out the purposes of section 390(b)(4), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $3,000,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Surgeon General in making grants to appropriate public or private nonprofit institutions and entering into contracts with appropriate persons, for purposes of carrying out projects of research and investigations in the field of medical library science and related activities and for the development of new techniques, systems and equipment, for processing, storing, retrieving, and distributing information pertaining to sciences related to health. Appropriation.

"(b) Payment pursuant to grants made under this section may be in advance or by way of reimbursement and in such installments as the Surgeon General shall prescribe by regulations after consultation with the Board.

"GRANTS FOR IMPROVING AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES

"SEC. 397. (a) In order to enable the Surgeon General to carry out the purposes of section 390(b)(5), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $3,000,000 for any fiscal year, as may be necessary. Appropriation.

"(b) Sums made available under this section shall be utilized by the Surgeon General for making grants of money, materials, or both, to public or private nonprofit medical libraries and related scientific communication instrumentalities for the purpose of expanding and improving their basic medical library or related resources. The uses for which grants so made may be employed include, but are not limited to, the following: (A) acquisition of books, journals, photographs, motion picture and other films, and other similar materials, (B) cataloging, binding, and other services and procedures for processing library resource materials for use by those who are served by the library or related instrumentality, and (C) acquisition of duplication devices, facsimile equipment, film projectors, recording equipment, and other equipment to facilitate the use of the resources of the library or related instrumentality by those who are served by it, and (D) introduction of new technologies in medical librarianship. Uses.

Determination of amount.

"(c)(1) The amount of any grant under this section to any medical library or related instrumentality shall be determined by the Surgeon General on the basis of the scope of library or related services provided by such library or instrumentality in relation to the population and purposes served by it. In making a determination of the scope of services served by any medical library or related instrumentality, the Surgeon General shall take into account the following factors—

Factors.

"(A) the number of graduate and undergraduate students making use of the resources of such library or instrumentality;

"(B) the number of physicians and other practitioners in the sciences related to health utilizing the resources of such library or instrumentality;

"(C) the type of supportive staffs, if any, available to such library or instrumentality;

"(D) the type, size, and qualifications of the faculty of any school with which such library or instrumentality is affiliated;

"(E) the staff of any hospital or hospitals or of any clinic or clinics with which such library or instrumentality is affiliated; and

"(F) the geographic area served by such library or instrumentality and the availability, within such area, of medical library or related services provided by other libraries or related instrumentalities.

"(2) In no case shall any grant under this section to a medical library or related instrumentality during any fiscal year exceed $200,000, or, if lesser, an amount equal to—

"(A) 60 per centum of the annual operating expenses of such library or related instrumentality, if such fiscal year is the first fiscal year with respect to which a grant under this section is made to it;

"(B)(i) 50 per centum of the annual operating expenses of such library or related instrumentality, (ii) or, if lesser, five-sixths of the amount of its first year grant under this section, if such year is the second fiscal year with respect to which a grant under this section has been made to it;

"(C)(i) 40 per centum of the annual operating expenses of such library or related instrumentality, (ii) or, if lesser, four-fifths of the amount of the second year grant under this section, if such year is the third fiscal year with respect to which a grant under this section has been made to it;

"(D)(i) 30 per centum of the annual operating expenses of such library or related instrumentality, (ii) or, if lesser, three-fourths of the amount of the third year grant under this section, if such year is the fourth fiscal year with respect to which a grant under this section has been made to it; and

"(E)(i) 20 per centum of the annual operating expenses of such library or related instrumentality, (ii) or, if lesser, two-thirds of the amount of the fourth year grant under this section, if such year is the fifth fiscal year with respect to which a grant under this section has been made to it.

"Annual operating expense."

The 'annual operating expense' of a library or related instrumentality shall, for purposes of the preceding sentence, be an amount equal (if such annual operating expense is to be determined with respect to the first grant to be made to such library or instrumentality under this section) to the amount of the average of the annual operating expenses of such library or instrumentality over the three fiscal years preceding the year in which such grant is applied for; and if such library or related instrumentality has been operating for less than three years prior to applying for such grant, its 'annual operating expense' shall be an amount determined by the Surgeon General pur-

suant to regulations prescribed by him. For the second or succeeding fiscal year in which a grant is made to a library or related instrumentality, the 'annual operating expense' of such library or related instrumentality shall, for purposes of such sentence, be equal to its operating expense (exclusive of Federal financial assistance under this part) for the preceding fiscal year.

"GRANTS FOR ESTABLISHMENT OF REGIONAL MEDICAL LIBRARIES

Appropriation.

"SEC. 398. (a) In order to enable the Surgeon General to carry out the purposes of section 390(b)(6), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $2,500,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Surgeon General, with the advice of the Board, to make grants to existing public or private nonprofit medical libraries so as to enable each of them to serve as the regional medical library for the geographical area in which it is located.

Uses.

"(b) The uses for which grants made under this section may be employed include, but are not limited to, the following—

"(1) acquisition of books, journals, and other similar materials;

"(2) cataloging, binding, and other procedures for processing library resource materials for use by those who are served by the library;

"(3) acquisition of duplicating devices and other equipment to facilitate the use of the resources of the library by those who are served by it;

"(4) acquisition of mechanisms and employment of personnel for the speedy transmission of materials from the regional library to local libraries in the geographic area served by the regional library; and

"(5) construction, renovation, rehabilitation, or expansion of physical plant considered necessary by such library to carry out its proper functions as a regional library.

Conditions for grants.

"(c)(1) Grants under this section shall be made only to medical libraries which agree (A) to modify and increase their library resources so as to be able to provide supportive services to other libraries in the region as well as individual users of library services, (B) to provide free loan services to qualified users, and make available photoduplicated or facsimile copies of biomedical materials which qualified requesters may retain.

Priority factors.

"(2) The Surgeon General, in awarding grants under this section, shall give priority to medical libraries having the greatest potential of fulfilling the needs for regional medical libraries. In determining the priority to be assigned to any medical library, he shall consider—

"(A) the need of such library, as determined by the levels of research, teaching, and medical activities of the library in relation to other existing library and medical communication services in the region;

"(B) the adequacy of the library (in terms of collections, personnel, equipment, and other facilities) as a basis for a regional medical library; and

"(C) the size and nature of the population to be served in the region in which the library is located.

"(d) Grants under this section for construction, renovation, rehabilitation, or expansion of physical plant shall be made in the same manner and subject to the same conditions as are provided for

grants made under section 393, except that the eligibility for any such grant would be determined on the basis of the construction requirements of the library so as to be able to serve as a regional medical library. Grants under this section for basic resource materials to a library may not exceed 50 per centum of the library's annual operating expense (exclusive of Federal financial assistance under this part) for the preceding year; or in case of the first year in which the library receives a grant under this section for basic resource materials, 50 per centum of its average annual operating expenses over the past three years (or if it had been in operation for less than three years, its annual operating expenses determined by the Surgeon General in accordance with regulations prescribed by him).

Limitation.

"(e) Payment pursuant to grants made under this section may be made in advance or by way of reimbursement and in such installments as the Surgeon General shall prescribe by regulations after consultation with the Board.

"FINANCIAL SUPPORT OF BIOMEDICAL SCIENTIFIC PUBLICATIONS

Appropriation.
Ante, p. 1059.

"SEC. 399. (a) In order to enable the Surgeon General to carry out the purposes of section 390(b)(7), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $1,000,000 for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Surgeon General, with the advice of the Board, in making grants to, and entering into appropriate contracts with, public or private nonprofit institutions of higher education and individual scientists for the purpose of supporting biomedical scientific publications of a nonprofit nature and to procure the compilation, writing, editing, and publication of reviews, abstracts, indices, handbooks, bibliographies, and related matter pertaining to scientific works and scientific developments.

"(b) Grants under this section in support of any single periodical publication may not be made for more than three years.

"(c) Payment pursuant to grants made under this section may be made in advance or by way of reimbursement and in such installments as the Surgeon General shall prescribe by regulations after consultation with the Board.

"CONTINUING AVAILABILITY OF APPROPRIATED FUNDS

"SEC. 399a. Funds appropriated to carry out any of the purposes of this part for any fiscal year shall remain available for such purposes for the fiscal year immediately following the fiscal year for which they were appropriated.

"RECORDS AND AUDIT

"SEC. 399b. (a) Each recipient of a grant under this part shall keep such records as the Surgeon General shall 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 given or used, and the amount 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.

"(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 such recipients that are pertinent to any grant received under the provisions of this part."

REGIONAL BRANCHES OF THE NATIONAL LIBRARY OF MEDICINE

SEC. 3. Part H of title III of the Public Health Service Act which deals with the National Library of Medicine is amended by adding at the end thereof the following new section:

70 Stat. 960. 42 USC 275-280a.

"REGIONAL BRANCHES OF THE NATIONAL LIBRARY OF MEDICINE

"SEC. 378. (a) Whenever the Surgeon General, with the advice of the Board, determines that—

Need determination.

"(1) in any geographic area of the United States, there is no regional medical library adequate to serve such area;

"(2) under the criteria prescribed in section 398, there is a need for a regional medical library to serve such area; and

Ante, p. 1065.

"(3) because there is located in such area no medical library which, under the provisions of section 398, can feasibly be developed into a regional medical library adequate to serve such area, he is authorized to establish, as a branch of the National Library of Medicine, a regional medical library to serve the needs of such area.

"(b) For the purpose of establishing branches of the National Library of Medicine under this section, there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums, not to exceed $2,000,000 for any fiscal year, as may be necessary. Sums appropriated pursuant to this section for any fiscal year shall remain available until expended."

Appropriation.

COMPENSATION OF MEMBERS OF THE BOARD OF REGENTS OF THE NATIONAL LIBRARY OF MEDICINE

SEC. 4. Part H of title III of the Public Health Service Act which deals with the National Library of Medicine is amended by striking out, in section 373(d) thereof, "$50" and inserting in lieu thereof "$75".

42 USC 277.

Approved October 22, 1965.

Public Law 89-292

October 22, 1965
[S. 32]

AN ACT

To authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes.

Southern Nevada water project.

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 construct, operate, and maintain the southern Nevada water project, Nevada, in accordance with the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except as those laws are inconsistent with this Act, for the principal purpose of delivering water for municipal and industrial use. The principal features of the southern Nevada water project shall consist of intake facilities, pumping plants, aqueduct and laterals, transmission lines, substations, and storage and regulatory facilities required to provide water from Lake Mead on the Colorado River for distribution to municipalities and industrial centers within Clark County, Nevada.

43 USC 371 note.

Project costs, allocations.

SEC. 2. (a) The Secretary shall make appropriate allocations of project costs to municipal and industrial water supply and, if appropriate, to fish and wildlife and recreation: *Provided*, That all operation and maintenance costs for the southern Nevada water project shall be allocated to municipal and industrial water supply. Construction costs of the River Mountains dam and reservoir allocated to fish and wildlife and recreation shall be nonreimbursable in accordance with the Federal Water Project Recreation Act (79 Stat. 213).

16 USC 460*l*-12 note.

Repayment; interest rate.

(b) Allocations of project costs made to municipal and industrial water supply shall be repayable to the United States in not more than fifty years under either the provisions of the Federal reclamation laws or under the provisions of Water Supply Act of 1958 (title III of Public Law 85-500, 72 Stat. 319 and Acts amendatory thereof or supplementary thereto): *Provided*, That, in either case, repayment of costs allocated to municipal and industrial water supply shall include interest on the unamortized balance of such allocations at a rate equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act and adjusted to the nearest one-eighth of 1 per centum.

43 USC 390b note.

Contract.

SEC. 3. (a) The Secretary is authorized to enter into a contract with the State of Nevada, acting through the Colorado River Commission of Nevada or other duly authorized State agency, for the delivery of water and for repayment of the reimbursable construction costs.

Construction, commencement.

(b) Construction of the project shall not be commenced until a suitable contract has been executed by the Secretary and the Colorado River Commission or other duly authorized State agency.

(c) Such contract may be entered into without regard to the last sentence of section 9, subsection (c), of the Reclamation Project Act of 1939.

53 Stat. 1194.
43 USC 485h.

Transfer of operation, etc.

(d) Upon execution of the contract referred to in section 3(a) above, and upon completion of construction of the project, the Secretary shall transfer to said Colorado River Commission of Nevada or other duly authorized State agency the care, operation, and maintenance of the intake, pumping plants, aqueducts, reservoirs, and related features of the southern Nevada water project upon the terms and conditions set out in the said contract.

(e) When all of the costs allocable to reimbursable purposes incurred by the United States on constructing, operating, and maintaining the project, together with appropriate interest charges, have been returned to the United States by the State of Nevada, said State

shall have the permanent right to use the intake, pumping plants, aqueducts, reservoirs, and related features of the southern Nevada water supply project in accordance with said contract.

Nonreimbursable costs.

SEC. 4. Such amount of the costs of construction as are allocated to the furnishing of a water supply to Nellis Air Force Base or other defense installations shall be nonreimbursable.

Colorado River system, water diversion.

SEC. 5. The use of all water diverted for this project from the Colorado River system shall be subject to and controlled by the Colorado River compact, the Boulder Canyon Project Act (45 Stat. 1057; 43 U.S.C. 617t), and the Mexican Water Treaty (Treaty Series 994) (59 Stat. 1219).

Water rights, intrastate priorities.

SEC. 6. In all water supply contracts for the use of water in Nevada under this Act or section 5 of the Boulder Canyon Project Act (45 Stat. 1057) the Secretary shall recognize the intrastate priorities of water rights to the use of water existing on the date of enactment of this Act: *Provided, however*, That nothing in this Act shall be construed as validating any right diminished or lost because of abandonment, nonuse, or lack of due diligence, nor shall anything in this Act be construed as affecting the satisfaction of present perfected rights as defined by the decree of the United States Supreme Court in Arizona against California et al. (376 U.S. 340).

Appropriation.

SEC. 7. There is hereby authorized to be appropriated for construction of the southern Nevada water project, Nevada, the sum of $81,003,000 (September 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 herein.

Approved October 22, 1965.

Public Law 89-293

October 22, 1965
[H. R. 7919]

AN ACT

To provide for the establishment of the Roger Williams National Memorial in the city of Providence, Rhode Island, and for other purposes.

Roger Williams National Memorial, R. I. Establishment.

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 acquire by gift, purchase with appropriated or donated funds, transfer from any Federal agency, exchange, or otherwise, not to exceed five acres of land (together with any buildings or other improvements thereon) and interests in land at the site of the old town spring, traditionally called Roger Williams Spring, in Providence, Rhode Island, for the purpose of establishing thereon a national memorial to Roger Williams in commemoration of his outstanding contributions to the development of the principles of freedom in this country: *Provided*, That property owned by the city of Providence or the Providence Redevelopment Agency may be acquired only with the consent of such owner.

Publication in Federal Register.

SEC. 2. The property acquired pursuant to the first section of this Act shall be established as the Roger Williams National Memorial and the Secretary of the Interior shall publish notice of such establishment in the Federal Register. Such national Memorial shall be administered by the Secretary 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 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 USC 1-4.

16 USC 461-467.

SEC. 3. (a) The Secretary is authorized to cooperate with the city of Providence, local historical and preservation societies, and interested persons in the maintenance and operation of the Roger Williams National Memorial, and he may seek the assistance of and consult with such city, societies, and persons from time to time with respect to matters concerning the development and operation of the memorial.

(b) The Secretary may accept on behalf of the people of the United States gifts of historic objects and records pertaining to Roger Williams for appropriate display or other use in keeping with the commemoration of the founding of the principles of freedom in the United States and of the historical events that took place in the city of Providence in connection therewith.

Appropriation.

SEC. 4. There are hereby authorized to be appropriated not more than $700,000 for the acquisition of lands and interests in land and for the development of the Roger Williams National Memorial, as provided in this Act.

Approved October 22, 1965.

Public Law 89-294

October 23, 1965
[H. J. Res. 571]

JOINT RESOLUTION

To authorize the President to proclaim the week beginning October 25, 1965, as National Parkinson Week.

National Parkinson 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 authorized and requested to issue annually a proclamation designating the week beginning October 25, 1965, as National Parkinson Week and inviting the Governors of the several States to issue similar proclamations. It is requested that such proclamation invite the medical profession, the press, and all agencies and individuals interested in a national program for the control of Parkinson's disease to unite during such week in public dedication to such a program and in a concerted effort to impress upon the people of the United States the necessity for such a program.

Approved October 23, 1965.

Public Law 89-295

October 23, 1965
[H. R. 7888]

AN ACT

Providing for the extension of patent numbered D-119,187.

United American Veterans of the United States of America, Inc. Design patent, extension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) a certain design patent issued by the United States Patent Office of date February 27, 1940, being patent numbered D-119,187, which is the insignia of the Massachusetts Department of the United American Veterans of the United States of America, Incorporated, is hereby renewed and extended for an additional period of fourteen years from and after the date of enactment of this Act, with all the rights and privileges pertaining to the same, being generally known as the insignia of the Massachusetts Department of the United American Veterans of the United States of America, Incorporated; (b) no person who has manufactured the design of such patent between February 27, 1954, and the date of the enactment of this Act shall be held liable for infringement of such patent by reason of the continued manufacture and sale thereof.

Approved October 23, 1965.

Public Law 89-296

JOINT RESOLUTION

October 27, 1965
[S. J. Res. 32]

To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the United States Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

3 UST 3169.

Whereas article 19 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims of Japanese nationals, including Ryukyuans, with the result that the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950, to April 28, 1952);

Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyuans who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation, by advancing the welfare of the Ryukyuan people, will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States should make an ex gratia contribution to the persons (excluding municipalities) determined by the High Commissioner of the Ryukyu Islands to be meritorious claimants, in the amounts determined by him, and that the Secretary of the Army or his designee should, under regulations prescribed by the Secretary of Defense, pay such amounts to the claimants or their legal heirs, as a civil function of the Department of the Army; and be it further

Ryukyu Islands.
U.S. payment for damage claims.

Resolved, That no funds appropriated under this joint resolution shall be disbursed to satisfy claims, or portions thereof, which have been satisfied by contributions made by the Government of Japan.

Restriction.

SEC. 2. There is authorized to be appropriated not to exceed $22,000,000 to carry out the provisions of this joint resolution, which funds are authorized to remain available for two years from the effective date of their appropriation. Any funds unobligated by the end of that period shall be covered into the Treasury of the United States.

Appropriation.

SEC. 3. No remuneration on account of services rendered on behalf of any claimant in connection with any claim shall exceed 5 per centum of the total amount paid, pursuant to the provisions of this joint resolution, on such claim; except that no remuneration on account of such services rendered on behalf of any association of claimants by any agent or attorney (including organizations thereof) shall exceed 1 per centum of the aggregate amount so paid on the claims involved. Fees already paid for such services shall be deducted from the amounts authorized under this joint resolution. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any

Fees for legal services.

Penalty.

remuneration in excess of the maximum permitted by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than $5,000 or imprisoned not more than twelve months, or both.

Approved October 27, 1965.

Public Law 89-297

October 27, 1965
[H. R. 2853]

AN ACT

To amend title 17, United States Code, with relation to the fees to be charged.

Copyright fees, increase.
62 Stat. 202.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 211 of title 17, United States Code, is amended by substituting the amount "$75" in lieu of the amount "$25".

SEC. 2. Section 215 of said title 17, United States Code, is amended to read as follows:

"FEES.—The Register of Copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees:

"For the registration of a claim to copyright in any work, including a print or label used for articles of merchandise, $6; for the registration of a claim to renewal of copyright, $4; which fees shall include a certificate for each registration: *Provided*, That only one registration fee shall be required in the case of several volumes of the same book published and deposited at the same time: *And provided further*, That with respect to works of foreign origin, in lieu of payment of the copyright fee of $6 together with one copy of the work and application, the foreign author or proprietor may at any time within six months from the date of first publication abroad deposit in the Copyright Office an application for registration and two copies of the work which shall be accompanied by a catalog card in form and content satisfactory to the Register of Copyrights.

"For every additional certificate of registration, $2.

"For certifying a copy of an application for registration of copyright, and for all other certifications, $3.

"For recording every assignment, agreement, power of attorney or other paper not exceeding six pages, $5; for each additional page or less, 50 cents; for each title over one in the paper recorded, 50 cents additional.

"For recording a notice of use, or notice of intention to use, $3, for each notice of not more than five titles; and 50 cents for each additional title.

"For any requested search of Copyright Office records, works deposited, or other available material, or services rendered in connection therewith, $5, for each hour of time consumed."

Effective date.

SEC. 3. This Act shall take effect thirty days after its enactment.

Approved October 27, 1965.

Public Law 89-298

AN ACT

October 27, 1965
[S. 2300]

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

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

Public works projects.
Construction and repair.

TITLE I—NORTHEASTERN UNITED STATES WATER SUPPLY

SEC. 101. (a) Congress hereby recognizes that assuring adequate supplies of water for the great metropolitan centers of the United States has become a problem of such magnitude that the welfare and prosperity of this country require the Federal Government to assist in the solution of water supply problems. Therefore, the Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with Federal, State, and local agencies in preparing plans in accordance with the Water Resources Planning Act (Public Law 89-80) to meet the long-range water needs of the northeastern United States. This plan may provide for the construction, operation, and maintenance by the United States of (1) a system of major reservoirs to be located within those river basins of the Northeastern United States which drain into the Chesapeake Bay, those that drain into the Atlantic Ocean north of the Chesapeake Bay, those that drain into Lake Ontario, and those that drain into the Saint Lawrence River, (2) major conveyance facilities by which water may be exchanged between these river basins to the extent found desirable in the national interest, and (3) major purification facilities. Such plans shall provide for appropriate financial participation by the States, political subdivisions thereof, and other local interests.

Ante, p. 244.

(b) The Secretary of the Army, acting through the Chief of Engineers, shall construct, operate, and maintain those reservoirs, conveyance facilities, and purification facilities, which are recommended in the plan prepared in accordance with subsection (a) of this section, and which are specifically authorized by law enacted after the date of enactment of this Act.

(c) Each reservoir included in the plan authorized by this section shall be considered as a component of a comprehensive plan for the optimum development of the river basin in which it is situated, as well as a component of the plan established in accordance with this section.

TITLE II—FLOOD CONTROL

Flood Control Act of 1965.

SEC. 201. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to construct, operate, and maintain any water resource development project, including single and multiple purpose projects involving, but not limited to, navigation, flood control, and shore protection, if the estimated Federal first cost of constructing such project is less than $10,000,000. No appropriation shall be made to construct, operate, or maintain any such project if such project has not been approved by resolutions adopted by the Committees on Public Works of the Senate and House of Representatives, respectively. For the purpose of securing consideration of such approval the Secretary shall transmit to Congress a report of such proposed project, including all relevant data and all costs.

Report to Congress.

(b) Any water resource development project authorized to be constructed by this section shall be subject to the same requirements of local cooperation as it would be if the estimated Federal first cost of such project were $10,000,000 or more.

49 Stat. 1571.
33 USC 701c.

52 Stat. 1215.
33 USC 701c-1.

SEC. 202. 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, and 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 Department of the Army 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.

58 Stat. 887.
33 USC 701-1.

SEC. 203. 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, 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.

Projects, authorization.

SEC. 204. 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 other 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.

SAINT JOHN RIVER BASIN

The Dickey-Lincoln School project, Saint John River, Maine, is hereby authorized as approved by the President on July 12, 1965, and substantially in accordance with the plans included in the report of the Department of the Interior and the Corps of Engineers dated August 1964, which is a supplement to the July 1963 report of the International Passamaquoddy tidal power project and upper Saint John River hydroelectric power development, at an estimated cost of $227,000,000.

HOUSATONIC RIVER BASIN

The projects for flood protection on the Housatonic, Naugatuck, and Still Rivers at Derby and Danbury, Connecticut, are hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 324, Eighty-eighth Congress, at an estimated cost of $5,100,000.

NEW ENGLAND-ATLANTIC COASTAL AREA

The project for hurricane-flood control protection at Westerly, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 85, Eighty-ninth Congress, at an estimated cost of $3,287,000.

LONG ISLAND SOUND AREA

The project for hurricane-flood protection at Stratford, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 292, Eighty-eighth Congress, at an estimated cost of $4,340,000.

HUDSON RIVER BASIN

The project for flood protection at Yonkers, Saw Mill River, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 258, Eighty-ninth Congress, at an estimated cost of $1,924,000.

NEW YORK-ATLANTIC COASTAL AREA

The project for hurricane-flood protection and beach erosion control at East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 215, Eighty-ninth Congress, at an estimated cost of $32,620,000.

The project for hurricane-flood protection and beach erosion control at Staten Island, Fort Wadsworth to Arthur Kill, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 181, Eighty-ninth Congress, at an estimated cost of $6,230,000.

ELIZABETH RIVER BASIN, NEW JERSEY

The project for hurricane-flood protection on the Elizabeth River, New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 249, Eighty-ninth Congress, at an estimated cost of $9,769,000.

RAHWAY RIVER BASIN, NEW JERSEY

The project for flood protection on the Rahway River, New Jersey, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 67, Eighty-ninth Congress, at an estimated cost of $1,514,000.

NEUSE RIVER BASIN

The project for the Falls Dam and Reservoir, Neuse River, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 175, Eighty-ninth Congress, at an estimated cost of $18,600,000.

The project for hurricane-flood protection at New Bern and Vicinity, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 183, Eighty-ninth Congress, at an estimated cost of $10,400,000.

MIDDLE ATLANTIC COASTAL AREA

The project for hurricane-flood protection and beach erosion control at Ocracoke Island, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 109, Eighty-ninth Congress, at an estimated cost of $1,636,000.

FLINT RIVER BASIN

The project for the Lazer Creek Reservoir, Flint River, Georgia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 567, Eighty-seventh Congress, at an estimated cost of $40,378,000.

The project for the Lower Auchumpkee Reservoir, Flint River, Georgia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 567, Eighty-seventh Congress, at an estimated cost of $48,275,000.

CENTRAL AND SOUTHERN FLORIDA BASIN

Comprehensive Plan

Project modification.
62 Stat. 1176.

The comprehensive plan for flood control and other purposes in central and southern Florida approved in the Act of June 30, 1948, and subsequent Acts of Congress, is hereby modified to include the following items:

The project for flood protection in Hendry County, west of levees 1, 2, and 3, Florida, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 102, Eighty-eighth Congress, at an estimated cost of $4,986,000.

The project for flood protection in southwest Dade County, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 20, Eighty-ninth Congress, at an estimated cost of $4,903,000.

SOUTH ATLANTIC COASTAL AREA

The project for hurricane-flood protection on Biscayne Bay, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 213, Eighty-ninth Congress, at an estimated cost of $1,954,000.

PHILLIPPI CREEK BASIN, FLORIDA

The project for flood control on Phillippi Creek, Florida, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 156, Eighty-ninth Congress, at an estimated cost of $4,592,000.

LOWER MISSISSIPPI RIVER BASIN

Comprehensive Plan

Project modification.
33 USC 702a-702m.

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, is hereby further modified and expanded to include the projects and plans substantially as recommended by the Chief of Engineers in House Documents Numbered 308 and 319, Eighty-eighth Congress, at an estimated cost of $181,109,000, except that (1) any modified easements required in the improvement of the Birds Point-New Madrid, Missouri, Floodway shall be acquired as

provided by section 4 of the Act of May 15, 1928, (2) the pumping plant in the Red River backwater area shall be operated and maintained by the Corps of Engineers, (3) the recommendations of the Bureau of the Budget shall apply with respect to improvements for fish and wildlife, and (4) the requirement of local cooperation for the improvements in the St. Francis Basin, Arkansas and Missouri, shall be reviewed by the Secretary of the Army, acting through the Chief of Engineers, with particular reference to Federal and non-Federal cost sharing, and he shall report results of such review to Congress within one year after the date of enactment of this Act. No appropriation made pursuant to the authorization contained in this paragraph shall be available for any project other than those set forth in House Documents Numbered 308 and 319, Eighty-eighth Congress.

45 Stat. 536.
33 USC 702d.

Report to Congress.

The project for the St. Francis River, Missouri and Arkansas, within Drainage District No. 7, Poinsett County, Arkansas, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 57, Eighty-ninth Congress, at an estimated cost of $1,372,000.

St. Francis River.
Project modification.

General Projects

The project for hurricane-flood protection at Grand Isle and Vicinity, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 184, Eighty-ninth Congress, at an estimated cost of $5,500,000.

The project for hurricane-flood protection at Morgan City and Vicinity, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 167, Eighty-ninth Congress, at an estimated cost of $3,049,000.

The project for hurricane-flood protection on Lake Pontchartrain, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 231, Eighty-ninth Congress, except that the recommendations of the Secretary of the Army in that document shall apply with respect to the Seabrook Lock feature of the project. The estimated cost is $56,235,000.

OUACHITA RIVER BASIN

The project for flood protection on the Ouachita River at Monroe, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, in House Document Numbered 328, Eighty-eighth Congress, at an estimated cost of $520,000.

RED RIVER BASIN

The project for flood protection on Bayou Bodcau and tributaries, Arkansas and Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 203, Eighty-ninth Congress, at an estimated cost of $1,524,000.

The project for Caddo Dam and Reservoir, Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in Senate Document Numbered 39, Eighty-ninth Congress, at an estimated cost of $1,934,000.

The project for Sanders, Big Pine, and Collier Creeks, Texas, as authorized in the Act of October 23, 1962 (76 Stat. 1187), is hereby

modified in order to provide for a highway crossing Pat Mayse Reservoir to replace the present FM Highway 1499 across Sanders Creek, at an estimated cost of $310,000. Such crossing shall be constructed under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with such plans as may be recommended by the Chief of Engineers.

GULF OF MEXICO

The project for flood protection on the Buffalo Bayou and tributaries, White Oak Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 169, Eighty-ninth Congress, at an estimated cost of $1,800,000.

The project for flood protection on Highland Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 168, Eighty-ninth Congress, at an estimated cost of $3,500,000.

The project for flood protection on Taylors Bayou, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in House Document Numbered 206, Eighty-ninth Congress, at an estimated cost of $5,004,000.

RIO GRANDE BASIN

The project for flood protection on the Rio Grande at El Paso, Texas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 207, Eighty-ninth Congress, at an estimated cost of $12,493,000.

ARKANSAS RIVER BASIN

Comprehensive Plan

Modification.

60 Stat. 635.

The multiple-purpose plan for improvement of Arkansas River and tributaries, authorized by the River and Harbor Act of July 24, 1946, as amended, is hereby modified to authorize the Secretary of the Army acting through the Chief of Engineers, to provide replacement outfall facilities for the Kansas Street outfall sewer in the city of Pine Bluff, Arkansas, including such new pumping facilities as may be necessary, at the most economical Federal expense, but including in the Federal expense the reasonable capitalized cost of operation and maintenance of the pumping facilities over the cost of pumping now required in the existing system.

General Projects

The project for flood protection on the Arkansas River at Las Animas, Colorado, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 165, Eighty-ninth Congress, at an estimated cost of $1,541,000.

The project for flood protection on Lee Creek, Arkansas and Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 270, Eighty-ninth Congress, at an estimated cost of $10,000,000.

The project for flood protection at Little Rock, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 55, Eighty-ninth Congress, at an estimated cost of $363,000.

The project for flood protection on the Arkansas River at Great Bend, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 182, Eighty-ninth Congress, at an estimated cost of $4,030,000.

The project for establishment of a national wildlife refuge at the John Redmond Dam and Reservoir, Grand (Neosho) River, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 27, Eighty-ninth Congress, at an estimated cost of $730,000.

The project for flood protection on the Walnut River, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 232, Eighty-ninth Congress, at an estimated cost of $66,036,000.

The project for the Shidler Dam and Reservoir, Salt Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 242, Eighty-ninth Congress, at an estimated cost of $6,150,000.

The project for flood protection on Crutcho Creek, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 47, Eighty-ninth Congress, at an estimated cost of $1,801,000.

Trinidad Dam, Colo. Project modification. 72 Stat. 309.

The project for Trinidad Dam on Purgatoire River, Colorado, House Document Numbered 325, Eighty-fourth Congress, authorized by the Flood Control Act of 1958 (72 Stat. 297) is hereby modified to provide that in lieu of the local cooperation recommended in paragraph 2(a) of the report of the Chief of Engineers dated July 22, 1954, published in said document, local interests shall maintain the channel of Purgatoire River through the city of Trinidad. The conditions set forth in paragraphs 2(b) and 2(c) of said report shall be applicable to the project.

John Martin Reservoir, Colo. Project modification.

The John Martin Reservoir project (formerly known as Caddoa Reservoir), Arkansas River, Colorado, as authorized by the Act of June 22, 1936 (49 Stat. 1570), is modified to authorize and direct the Chief of Engineers to use not to exceed ten thousand acre-feet of reservoir flood control storage space for the purpose of establishing and maintaining a permanent pool for fish and wildlife and recreational purposes, at such times as storage space may not be available for such permanent pool within the conservation pool as defined in article III F, Arkansas River compact (63 Stat. 145) except that—

Water rights.

(1) The State of Colorado shall purchase and make available any water rights necessary under State law to establish and thereafter maintain the permanent pool.

(2) The rights of irrigators in Colorado and Kansas to those waters available to them under the terms of the Arkansas River compact and under the laws of their respective States shall not be diminished or impaired by anything contained in this paragraph.

(3) Nothing in this paragraph shall be construed so as to give any preference to the permanent pool over other project purposes.

(4) No permanent pool as herein defined shall be maintained except upon written terms and conditions acceptable and agreed to (A) by the Chief of Engineers in the interest of flood control, and (B) by the Colorado State Engineer, the Arkansas River Compact Administration, and the Colorado Water Conservation Board, in the interest of establishing, maintaining, and operating the permanent pool for recreational and fish and wildlife purposes.

(5) Nothing in this paragraph shall be construed so as to limit

the authority of the Chief of Engineers to operate John Martin Reservoir for the primary purposes of the prevention of floods and the preservation of life and property.

MISSOURI RIVER BASIN

The project for flood protection on Big Creek at Hays, Kansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 22, Eighty-ninth Congress, at an estimated cost of $2,702,000.

The project for flood protection on the Little Nemaha River and tributaries, Nebraska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 160, Eighty-ninth Congress, at an estimated cost of $1,524,000.

The project for flood protection on the Big Sioux River and tributaries, Iowa and South Dakota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 199, Eighty-eighth Congress, at an estimated cost of $6,400,000, except that such portion of the project as relates to the area above the city limits of Sioux City, Iowa, shall be compatible with a fish and wildlife mitigation plan and also a flood control plan for the upper basin of the Big Sioux River, both to be approved by the States of Iowa and South Dakota.

The project for flood protection on the James River and tributaries, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 266, Eighty-ninth Congress, at an estimated cost of $3,083,000.

The project for flood control on the Fishing River and tributaries, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 281, Eighty-ninth Congress, at an estimated cost of $7,260,000.

The project for flood protection on the Chariton and Little Chariton Rivers and tributaries, Iowa and Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers and the Secretary of the Army in House Document Numbered 238, Eighty-ninth Congress, at an estimated cost of $9,167,000.

The project for flood protection on the Grand River and tributaries, Missouri and Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 241, Eighty-ninth Congress, at an estimated cost of $218,009,000. Nothing in this Act shall be construed as authorizing the construction of Linneus Reservoir on Locust Creek, St. Catherine Reservoir on East Yellow Creek, the Honey Creek-No Creek local protection works, nor hydroelectric power facilities at Pattonsburg Reservoir on Grand River; the Secretary of the Army shall conduct a review of such reservoirs, local protection works, and hydroelectric power facilities, at an estimated cost of $75,000, and the funds authorized by this paragraph for project planning are authorized to be used for such review. The Secretary shall submit to Congress, at the earliest practical date, a new feasibility report on such projects based upon such review.

Restriction.

Report to Congress.

The project for flood protection on the Platte River and tributaries, Missouri and Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 262, Eighty-ninth Congress, at an estimated cost of $26,889,000.

The project for flood protection on the Sun River at Great Falls, Montana, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 297; Public Law 85-500) is hereby modified to waive the requirement that local interests contribute in cash 2.16 per centum of the actual construction cost of all items of work provided by the United States.

Sun River, Mont. Project modification.

OHIO RIVER BASIN

The project for flood protection on Chartiers Creek, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 302, Eighty-eighth Congress, at an estimated cost of $12,207,000.

The project for flood protection on Sandy Lick Creek at Du Bois, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 185, Eighty-ninth Congress, at an estimated cost of $1,654,000.

The project for the Hocking River, Ohio, in the vicinity of Athens, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 287, Eighty-ninth Congress, at an estimated cost of $4,520,000.

The project for the Lincoln, Clifty Creek, and Patoka Dams and Reservoirs, Wabash River, Indiana and Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 202, Eighty-ninth Congress, at an estimated cost of $72,900,000.

The project for the Lafayette and Big Pine Dams and Reservoirs, Wabash River, Indiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 29, Eighty-ninth Congress, at an estimated cost of $44,800,000.

The project for the Rowlesburg Dam and Reservoir, Cheat River, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 243, Eighty-ninth Congress, at an estimated cost of $133,548,000: *Provided*, That the power features of this project shall not be undertaken until such time as the Federal Power Commission has completed action on any applications that may be pending before that agency for private development of the pumped-storage facility of the project: *Provided further*, That should the Federal Power Commission act in the affirmative on any pending applications, the authority for such project shall not include Federal power features and the estimated cost of such project shall be $88,402,000: *And provided further*, That in the event the Federal Power Commission dismisses any pending applications, Federal construction of such pumped-storage power facilities is hereby authorized and approved.

Rowlesburg Dam and Reservoir, W. Va.

Power features, restrictions.

The project for the Martins Fork Reservoir, Upper Cumberland River Basin, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 244, Eighty-ninth Congress, at an estimated cost of $4,860,000.

The Yatesville, Paintsville, and Panther Creek Reservoir projects and the Martin, Kentucky, local protection project on the Big Sandy River and Tug and Levisa Forks of Kentucky, West Virginia, and Virginia, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 246, Eighty-ninth Congress, at an estimated cost of $51,491,000. Prior to initiation of construction the Secretary of the Army shall prepare an analysis of benefits and costs of the proposed projects,

Analysis of costs, etc.

including such reformulation as may be necessary to comply with the Federal Water Project Recreation Act.

Ante, p. 213.

RED RIVER OF THE NORTH BASIN

The project for flood protection on the Roseau River, Minnesota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 282, Eighty-ninth Congress, at an estimated cost of $2,550,000.

UPPER MISSISSIPPI RIVER BASIN

The project for flood protection at East Saint Louis and vicinity, Illinois (East Side levee and sanitary district), is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 329, Eighty-eighth Congress, at an estimated cost of $6,180,000.

Kaskaskia River, Ill. Project modification. 72 Stat. 310.

The project for the Kaskaskia River, Illinois, authorized by the Flood Control Act of 1958 (Public Law 500, Eighty-fifth Congress), in accordance with the recommendations of the Chief of Engineers in House Document Numbered 232, Eighty-fifth Congress, is hereby modified substantially as recommended by the Chief of Engineers in House Document Numbered 351, Eighty-eighth Congress, to provide for the deletion from the items of local cooperation the requirement of a cash contribution due to changed land use, at an estimated increased Federal cost of $3,498,000, if local interests make a cash contribution of an amount equal to the full cost of acquisition of flowage easements in those lands which are no longer needed for construction, operation, and maintenance of Carlyle Reservoir.

The project for the Wood River Drainage and Levee District, Madison County, Illinois, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 150, Eighty-eighth Congress, at an estimated cost of $179,000.

The project for Ames Dam and Reservoir, Skunk River, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers, as modified by the Secretary of the Army, in House Document Numbered 267, Eighty-ninth Congress, at an estimated cost of $12,893,000.

The projects for flood protection at Marshalltown and Waterloo on the Iowa and Cedar Rivers, Iowa, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 166, Eighty-ninth Congress, at an estimated cost of $17,570,000.

The project for the Zumbro River, Minnesota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 246, Eighty-eighth Congress, at an estimated cost of $975,000.

The project for the Big Stone Lake and Whetstone River, Minnesota and South Dakota, is hereby authorized substantially as recommended by the Chief of Engineers in House Document Numbered 579, Eighty-seventh Congress, and House Document Numbered 193, Eighty-eighth Congress, at an estimated cost of $3,885,000.

Des Moines River, Iowa. Project modification.

The project on the Des Moines River for flood protection of Des Moines, Iowa, House Document Numbered 651, Seventy-eighth Congress, authorized by the Act of December 22, 1944 (58 Stat. 887), is hereby modified to eliminate the requirement recommended in paragraph 10(a)(2) of the report of the Chief of Engineers dated December 13, 1943, that local interests bear the expense of repairs and provision of gates on existing drains.

GREAT LAKES BASIN

The project for flood control and navigation on the Chagrin River, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 35, Eighty-ninth Congress, at an estimated cost of $2,200,000.

The project for flood protection on the Grand River at and in the vicinity of Grandville, Michigan, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 157, Eighty-eighth Congress, at an estimated cost of $1,373,000.

LITTLE COLORADO RIVER BASIN

The project for flood protection on the Little Colorado River at and in the vicinity of Winslow, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 63, Eighty-eighth Congress, at an estimated cost of $2,775,000.

GILA RIVER BASIN

The project for flood protection on Indian Bend Wash, Maricopa County, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 303, Eighty-eighth Congress, at an estimated cost of $7,250,000.

The project for flood protection on the Santa Rosa Wash, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 189, Eighty-ninth Congress, at an estimated cost of $6,430,000, except that the development of recreation and fish and wildlife facilities shall be in accordance with the Federal Water Project Recreation Act. *Ante*, p. 213.

The project for flood protection at Phoenix, Arizona, and vicinity, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 216, Eighty-ninth Congress, at an estimated cost of $58,310,000.

EEL RIVER BASIN

The project for flood protection on the Eel River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 234, Eighty-ninth Congress, at an estimated cost of $13,732,000.

SACRAMENTO RIVER BASIN

The project for the New Bullards Bar Dam and Reservoir, Yuba River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 180, Eighty-ninth Congress, at an estimated cost of $8,979,000.

The project for the Lakeport Dam and Reservoir with supplemental channel improvements, Scotts Creek, Cache Creek Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 259, Eighty-ninth Congress, at an estimated cost of $9,360,000.

SAN FRANCISCO BAY AREA

The project for flood protection on Sonoma Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 224, Eighty-ninth Congress, at an estimated cost of $9,400,000.

The project for the Napa River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 222, Eighty-ninth Congress, at an estimated cost of $14,950,000.

WHITEWATER RIVER BASIN

The project for flood protection on Tahquitz Creek, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 223, Eighty-ninth Congress, except that the amount of local contribution required due to enhancement of land shall be reduced by the amount of contribution determined on lands under Indian ownership at the time of project authorization and not subject to taxation due to Federal statutory restrictions. The amount of contribution on this basis is presently estimated at $508,000. The estimated cost is $3,442,000.

SANTA ANA RIVER BASIN

The project for flood protection on Lytle and Warm Creeks, San Bernardino County, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 53, Eighty-ninth Congress, at an estimated cost of $9,750,000.

SAN DIEGO RIVER BASIN

The project for flood protection on San Diego River (Mission Valley), California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 212, Eighty-ninth Congress, at an estimated cost of $14,600,000, except that the Secretary of the Army may reimburse local interests for the expenditure of funds used to construct such portions of the project as approved by the Chief of Engineers and constructed under the supervision of the Chief of Engineers.

COLUMBIA RIVER BASIN

The projects for the Lower Grande Ronde and Catherine Creek dams and reservoirs, Grande Ronde River and tributaries, Oregon, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 280, Eighty-ninth Congress, at an estimated cost of $20,440,000. The Chief of Engineers shall construct, operate, and maintain such projects.

The project for flood protection on Willow Creek, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 233, Eighty-ninth Congress, at an estimated cost of $6,680,000.

The project for acquisition of additional lands for waterfowl management at John Day Lock and Dam, Oregon and Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 28,

Eighty-ninth Congress, at an estimated cost of $706,000, except that the parcels of land, in Oregon, between the Columbia River and the management area boundary within sections 3, 4, 10, and 11 of Township 4 North, Range 25 East, Willamette Meridian, as shown on plate 1 of Senate Document Numbered 28, Eighty-ninth Congress, estimated at 611.02 acres, shall not be part of the management area, and the Secretary of the Army is authorized to purchase such additional lands in sections 22, 27, 29, and 30, Township 5 North, Range 26 East, Willamette Meridian, outside the present indicated management area boundary on plate 1, as he determines necessary to replace the lands so excluded.

Scioto River, Ohio. Project modification. 76 Stat. 1188.

SEC. 205. That the flood control project for the Scioto River, Ohio, authorized in section 203 of the Flood Control Act of 1962, is hereby modified to authorize the construction of the local protection works at Chillicothe, Ohio, at such time as the reservoirs on Alum, Mill, Big Darby, and Deer Creeks are under construction. In the event the Mill Creek and Alum Creek Reservoirs are constructed by an agency other than the Federal Government, the Federal Government shall not construct such local protection works at Chillicothe, Ohio, until said agency shall furnish assurances satisfactory to the Secretary of the Army that (1) it will provide flood control storage in those reservoirs equivalent to that proposed for the Federal reservoir projects, as authorized by the Flood Control Act of 1962, in accordance with the plan set forth in House Document Numbered 587, Eighty-seventh Congress, and (2) that such reservoirs shall be operated for flood control in accordance with regulations prescribed by the Secretary of the Army.

St. Clair River, Mich., etc. Comprehensive plan.

SEC. 206. (a) That the Secretary of the Army is hereby authorized and directed to prepare under the direction of the Chief of Engineers, a comprehensive plan for the development and efficient utilization of the water and related resources of the region drained by streams which discharge, within the State of Michigan, into the Saint Clair River, Lake Saint Clair, the Detroit River and Lake Erie. Such plan may provide for importation of water from points not located within the region as defined above.

(b) Said comprehensive plan shall be designed to meet the long-range needs of the region for protection against floods, wise use of flood plain lands, improvement of navigation facilities, water supplies for industrial and municipal purposes, outdoor recreational facilities, the enhancement and control of water quality, and related purposes; all with a view to encouraging and supporting the optimum long-range economic development of the region and enhancing the welfare of its people.

Minnesota River, Minn. Project modification. 72 Stat. 310.

SEC. 207. That the project for flood protection on the Minnesota River at Mankato and North Mankato, Minnesota, authorized in section 203 of the Flood Control Act of 1958 (Public Law 85-500, 72 Stat. 297) is hereby modified to authorize the Secretary of the Army to credit local interests against their required contribution to such project for any work necessitated by extreme high water done by such interests on such project between April 1, 1965, and February 1, 1966, if he approves such work as being in accordance with such project as authorized.

Flood control surveys. Authorization.

SEC. 208. 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.

Report to Congress.

Watersheds of streams in the North Atlantic region draining northward in New York toward the Saint Lawrence River below the international boundary and draining directly into the Atlantic Ocean above the Virginia-North Carolina State line with respect to a framework plan for developing the water resources of the region.

All streams flowing into the sounds of North Carolina between Cape Lookout and the Virginia line except those portions of the Neuse, Pamlico, and Roanoke Rivers above the estuarine reaches.

Watersheds of streams in the South Atlantic region draining directly to the Atlantic Ocean below the Virginia-North Carolina State line and draining directly into the Gulf of Mexico east of Lake Pontchartrain with respect to a framework plan for developing the water resources of the region.

The Rio Grande and its tributaries with respect to a framework plan for flood control and other purposes.

Watersheds of streams, washes, lakes, and their tributaries, which drain areas of the great basin region of Oregon, California, Nevada, Utah, Idaho, and Wyoming with respect to a framework plan for flood control and other purposes.

The Colorado River and tributaries above Lees Ferry, Arizona, with respect to a framework plan for flood control and other purposes.

The Colorado River and tributaries below Lees Ferry, Arizona, with respect to a framework plan for flood control and other purposes.

Watersheds of streams in the Pacific Northwest region which drain directly into the Pacific Ocean along the coastlines of Washington and Oregon with respect to a framework plan for developing the water resources of the region.

Watersheds of streams in California which drain directly into the Pacific Ocean and of streams, washes, lakes, and their tributaries, which drain areas in the eastern portion of the California region with respect to a framework plan for developing the water resources of the region.

Kaneohe-Kailua area, Oahu, Hawaii.

Terrebonne Parish, Louisiana (water supply).

Boyer River, Iowa.

Keokuk, Iowa.

Mississippi River, north of Dubuque, Iowa.

Black Hawk Creek, Iowa.

Mount Vernon, Indiana.

Orange Lake Basin, Florida.

Mayfield Creek, Kentucky.

Hatchie River and tributaries, Tennessee and Mississippi.

Spoon River, Illinois.

Grand (Neosho) River, Oklahoma and Kansas (including navigation).

Verdigris River, Kansas.

Verdigris River, Oklahoma and Kansas (including navigation).

Arkansas River and tributaries at and above Tulsa, Oklahoma.

Sanderson, Texas.

Abbeville, South Carolina.

All streams which drain directly to Pacific Ocean from San Mateo County, California.

Big Mineral Creek, Texas, particularly with reference to construction of a highway bridge.

Irondequoit Creek, New York, and tributaries, including Allens Creek, New York.

Coasts of Washington, Oregon, and California to determine advisability of protection work against storm and tidal waves.

Yakima River projects, Wash.

SEC. 209. Notwithstanding the first proviso in section 201 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes", approved May 17, 1950 (64 Stat. 163), the authorization in section 204 of such Act of projects for local protection on the Yakima River at Ellensburg, Washington, shall expire on June 10, 1970, unless local interests shall before such date furnish assurances satisfactory to the Secretary of the Army that the required local cooperation in such project will be furnished.

33 USC 701c note.

Hill County, Tex. Roads.

SEC. 210. The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized to replace the roads described and set forth in the provisions of their contract numbered DA-41-443-eng-939 with Hill County, Texas, which are subject to flooding; such roads being a part of the Whitney Dam and Reservoir project, Whitney, Texas, authorized by the Flood Control Act of December 22, 1944, at an estimated cost of $130,000.

58 Stat. 899.

Tenn. Society for Crippled Children and Adults, Inc. Conveyance.

SEC. 211. (a) The Secretary of the Army is authorized and directed to convey to the Tennessee Society for Crippled Children and Adults, Incorporated, subject to the provisions of this section, all of the right, title, and interest of the United States in and to that portion of the tract of land lying above elevation 454 feet mean sea level now occupied by such Society at the Old Hickory lock and dam, Cumberland River, Tennessee, under a lease executed by the Secretary of the Army and dated February 10, 1958.

(b) The conveyance authorized by this section shall be made upon payment to the United States of the fair market value of the property as determined by the Secretary of the Army, and upon such terms, conditions, reservations, and restrictions as he shall deem necessary to protect the interests of the United States. In determining the fair market value of the property, the Secretary shall exclude the value of any improvements made by or at the expense of the Tennessee Society for Crippled Children and Adults, Incorporated.

(c) The cost of any surveys necessary as an incident of the conveyance authorized by this section shall be borne by the Tennessee Society for Crippled Children and Adults, Incorporated.

Restriction.

(d) Title to the property authorized to be conveyed by this section shall revert to the United States, which shall have the right of immediate entry thereon, if the Tennessee Society for Crippled Children and Adults, Incorporated, shall ever cease to use such property for recreation and camping purposes.

R. D. Bailey Reservoir, W. Va. Designation.

SEC. 212. The authorized Justice Reservoir on the Guyandot River, West Virginia, hereafter shall be known and designated as the R. D. Bailey Reservoir. Any law, regulation, map, document, record, or other paper of the United States in which the authorized Justice Reservoir is referred to shall be held to refer to such reservoir as the R. D. Bailey Reservoir.

Calispell Creek project, Wash. Cost contribution.

SEC. 213. In recognition of the flood control accomplishments of the water resource project proposed to be constructed on Calispell Creek, Washington, by the Pend Oreille County Public Utility District Number One, there is hereby authorized to be appropriated a monetary contribution toward the construction cost of such project and the amount of such contribution shall be determined by the Secretary of the Army, subject to a finding by him approved by the President, of economic justification for allocation of the amount of

flood control, such funds to be administered by the Secretary of the Army. Prior to making the monetary contribution or any part thereof, the Secretary of the Army and the Pend Oreille County Public Utility District Number One, shall have entered into an agreement providing for operation of the proposed project in such manner as will produce the flood control benefits upon which the monetary contribution is predicated, and such operation of the project for flood control shall be in accordance with rules prescribed by the Secretary of the Army pursuant to the provisions of section 7 of the Flood Control Act of 1944 (58 Stat. 890). Unless construction of the project is undertaken within three years from the date of enactment of this section, the authority for the monetary contribution contained herein shall expire.

33 USC 709.

New York. Water utilization, etc. Comprehensive plan.

SEC. 214. The Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with the State of New York, political subdivisions thereof, and appropriate agencies and instrumentalities thereof, and with other departments, agencies, and instrumentalities of the United States, in the preparation of comprehensive plans for the development, utilization, and conservation of the water and related resources of drainage basins within the State of New York, and to submit to Congress reports and recommendations with respect to appropriate participation by the Department of the Army in carrying out such plans.

Reports to Congress.

SEC. 215. The Act entitled "An Act to authorize the Secretary of the Army to modify certain leases entered into for the provision of recreation facilities at reservoir areas", approved September 14, 1961 (75 Stat. 509), is hereby amended by striking out "before November 1, 1956,".

16 USC 460d-1.

San Francisco Bay, Calif. Water quality control, study.

SEC. 216. The Secretary of the Army is hereby authorized and directed to cause to be made, under the direction of the Chief of Engineers, an investigation and study of San Francisco Bay, California, including San Pablo Bay, Suisun Bay, and other adjacent bays and tributaries thereto, with a view toward determining the feasibility of, and extent of Federal interest in, measures for waste disposal and water quality control and allied purposes.

Rivers and harbors projects, etc. Local cooperation requirements.

SEC. 217. (a) In the prosecution of projects for rivers and harbors and other waterways for the benefit of navigation, the control of destructive flood waters, hurricane protection, beach erosion control, and for other purposes, authorized to be prosecuted under the direction of the Secretary of the Army under the supervision of the Chief of Engineers in accordance with plans adopted and authorized by the Congress, it is hereby declared to be the policy of the Congress, that whenever such projects are located wholly or partially within an area which is eligible for financial assistance under the Public Works and Economic Development Act of 1965, the Secretary of Commerce is authorized to purchase evidences of indebtedness and to make loans for a period not exceeding fifty years to enable responsible local interests to meet the requirements of local cooperation pertaining to contributions toward the cost of construction of such projects within such areas.

Ante, p. 552.

Appropriation.

(b) There is hereby authorized to be appropriated to carry out this section, not to exceed $10,000,000 per fiscal year for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through and including the fiscal year ending June 30, 1970.

Eel River, Calif. Protective work costs, reimbursement.

SEC. 218. The Secretary of the Army shall reimburse any common carrier by railroad for the cost of protective works constructed by such carrier during the years 1965 and 1966 along the banks of the Eel River, California, to deter recurrence of damage to such banks

by floods or high waters, but such reimbursement shall not exceed $3,000,000.

SEC. 219. The Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to accept orders from other Federal departments and agencies for work or services and to perform all or any part of such work or services by contract.

SEC. 220. Section 206(b) of the Flood Control Act of 1960 (33 U.S.C. 709a) is amended by striking out "$1,000,000" and inserting in lieu thereof "$2,500,000".

Information compilation. 74 Stat. 500.

SEC. 221. The Joanna Dam proposed for construction at or near mile 63 of the Salt River near Joanna, Missouri, and the Joanna Reservoir to be created by such dam, authorized to be constructed by section 203 of the Flood Control Act of 1962 (76 Stat. 1180), shall be known and designated hereafter as the Clarence Cannon Dam and Reservoir. Any law, regulation, map, document, or record of the United States in which such dam and reservoir are referred to as the Joanna Dam and Reservoir shall be held to refer to such dam and reservoir as the Clarence Cannon Dam and Reservoir.

Clarence Cannon Dam and Reservoir, Mo. Designation.

SEC. 222. Title II of this Act may be cited as the "Flood Control Act of 1965".

Citation of title.

TITLE III—RIVERS AND HARBORS

SEC. 301. 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.

River and Harbor Act of 1965.

59 Stat. 10.

NAVIGATION

Weymouth-Fore and Town Rivers, Boston Harbor, Massachusetts: House Document Numbered 247, Eighty-eighth Congress, at an estimated cost of $12,500,000;

Massachusetts.

Providence River and Harbor, Rhode Island: Senate Document Numbered 93, Eighty-eighth Congress, at an estimated cost of $13,900,000;

Rhode Island.

Rondout Harbor, New York: House Document Numbered 288, Eighty-ninth Congress, at an estimated cost of $20,000;

New York and New Jersey.

New York and New Jersey Channels-Entrance to Kill Van Kull from Upper New York Bay: House Document Numbered 108, Eighty-ninth Congress, at an estimated cost of $2,581,000;

New York Harbor, New York (Anchorage Areas): Senate Document Numbered 17, Eighty-ninth Congress, at an estimated cost of $44,852,000;

Shrewsbury River, New Jersey: House Document Numbered 274, Eighty-ninth Congress, at an estimated cost of $4,090,000;

Tred Avon River, Talbot County, Maryland: House Document Numbered 225, Eighty-ninth Congress, at an estimated cost of $323,000;

Maryland.

Washington Metropolitan Area.

Potomac and Anacostia Rivers—Removal of Drift in the Washington Metropolitan Area: House Document Numbered 286, Eighty-ninth Congress, maintenance;

Virginia.

Channel to Newport News and Norfolk Harbor, Hampton Roads, Virginia: House Document Numbered 143, Eighty-ninth Congress, at an estimated cost of $7,095,000;

Channel to Newport News, Norfolk Harbor, and Thimble Shoal Channel, Virginia: House Document Numbered 187, Eighty-ninth Congress, at an estimated cost of $25,600,000;

Hampton Creek, Virginia: House Document Numbered 201, Eighty-ninth Congress, modification of items of local cooperation;

North Carolina.

Cape Fear River, North Carolina: House Document Numbered 252, Eighty-ninth Congress, at an estimated cost of $1,510,000;

Georgia.

Savannah Harbor, Georgia: House Documents Numbered 226 and 263, Eighty-ninth Congress, at an estimated cost of $13,569,000. The plan recommended by the Chief of Engineers in House Document Numbered 263, Eighty-ninth Congress, shall include facilities to mitigate damages to presently improved areas southeast of the Savannah Wildlife Refuge at an estimated additional cost of $40,000. The Chief of Engineers may include additional facilities to mitigate damages to additional lands southeast of the Savannah Wildlife Refuge if he determines them to be necessary and justified, at an estimated additional cost of $60,000. All such facilities to mitigate damages shall be maintained by local interests.

Florida.

Jacksonville Harbor, Florida: House Document Numbered 214, Eighty-ninth Congress, at an estimated cost of $8,484,000;

Ponce de Leon Inlet, Florida: House Document Numbered 74, Eighty-ninth Congress, at an estimated cost of $1,104,000;

Broward County and Hillsboro Inlet, Florida: House Document Numbered 91, Eighty-ninth Congress, at an estimated cost of $1,093,000;

East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Florida: House Document Numbered 194, Eighty-eighth Congress, at an estimated cost of $1,151,000;

Alabama.

Perdido Pass Channel, Alabama: Senate Document Numbered 94, Eighty-eighth Congress, at an estimated cost of $625,000;

Bayou La Batre, Alabama: House Document Numbered 327, Eighty-eighth Congress, at an estimated cost of $262,000;

Louisiana.

Mermentau River, Louisiana: House Document Numbered 239, Eighty-ninth Congress, at an estimated cost of $2,690,000;

Michigan.

Alpena Harbor, Michigan: House Document Numbered 151, Eighty-eighth Congress, at an estimated cost of $806,000. In order to compensate for existing low water levels in Lake Huron, an additional increment of one foot in channel depth is hereby authorized;

Frankfort Harbor, Michigan: Senate Document Numbered 16, Eighty-ninth Congress, at an estimated cost of $237,000;

Lexington Harbor, Michigan: House Document Numbered 301, Eighty-eighth Congress, at an estimated cost of $570,000, except that the modified recommendations of the Chief of Engineers and the Secretary of the Army, contained in letter of April 5, 1965, from the Department of the Army to the Committee on Public Works of the United States Senate, shall apply with respect to recreational fishing facilities on the main breakwater;

Saginaw River, Michigan: House Document Numbered 240, Eighty-ninth Congress, at an estimated cost of $437,000;

Cedar River Harbor, Michigan: House Document Numbered 248, Eighty-ninth Congress, at an estimated cost of $664,000;

Ohio.

Ashtabula Harbor, Ohio: House Document Numbered 269, Eighty-ninth Congress, at an estimated cost of $1,840,000;

Rocky River Harbor, Ohio: House Document Numbered 352, Eighty-eighth Congress, at an estimated cost of $235,000;

Ohio.

The project for Lorain Harbor, Ohio, authorized in section 101 of the River and Harbor Act of 1960 (Public Law 86-645; 74 Stat. 480) is hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct such bank stabilization works at cut numbered 1 as may be necessary in his discretion to keep the navigation channel in its proper alinement at an estimated additional cost of $1,600,000. Local interests shall contribute to the cost of the project an amount equal to the value of the land on the date of the original authorization of this project that would have been required for cut numbered 1, but for this modification.

Lorain Harbor. Modification of project.

West Harbor, Ohio: House Document Numbered 245, Eighty-eighth Congress, at an estimated cost of $544,000;

Indiana Harbor, Indiana: House Document Numbered 227, Eighty-ninth Congress, at an estimated cost of $96,000;

Indiana.

Burns Waterway Harbor, Indiana: House Document Numbered 160, Eighty-eighth Congress, at an estimated cost of $25,000,000. The Secretary of the Army may reimburse the State of Indiana for the expenditure of funds used to construct such portions of the project as approved by the Chief of Engineers and constructed under the supervision of the Chief of Engineers. Unless construction of the project is initiated within three years from the date of enactment of this Act, the authority to reimburse the State of Indiana contained in this paragraph shall expire. The State of Indiana shall furnish assurance satisfactory to the Secretary of the Army that water and air pollution sources will be controlled to the maximum extent feasible in order to minimize any adverse effects on public recreational areas in the general vicinity of the Harbor. No appropriation is authorized to be made for the construction of this project until the Indiana Dunes National Lakeshore has been voted upon by both Houses of Congress during the same Congress.

Burns Waterway Harbor. State reimbursement.

Chocolate Bayou, Texas: House Document Numbered 217, Eighty-ninth Congress, at an estimated cost of $1,254,000;

Texas.

Houston Ship Channel (Greens Bayou), Texas: House Document Numbered 257, Eighty-ninth Congress, at an estimated cost of $470,000;

Trinity River and tributaries, Texas: House Document Numbered 276, Eighty-ninth Congress, including navigation, except that the recommendations of the Board of Engineers for Rivers and Harbors, dated March 14, 1963, shall apply, and there is hereby authorized $83,000,000 for initiation and partial accomplishment of the project. Prior to expenditure of any funds for construction of those features designed exclusively for navigation, the Chief of Engineers shall submit to the Congress a reevaluation based upon current criteria.

Trinity River and tributaries.

Reevaluation report to Congress.

San Francisco Bay to Stockton, California: House Document Numbered 208, Eighty-ninth Congress, at an estimated cost of $46,853,000. The works for wavewash protection within the limits of the modified San Joaquin River navigation project shall be repaired or restored by the United States as determined to be necessary by the Secretary of the Army over the life of the project.

California.

Crescent City Harbor, California: House Document Numbered 264, Eighty-ninth Congress, at an estimated cost of $1,980,000;

Bodega Bay, California: House Document Numbered 106, Eighty-ninth Congress, at an estimated cost of $853,000;

Port San Luis, San Luis Obispo Harbor, California: House Document Numbered 148, Eighty-eighth Congress, at an estimated cost of $6,360,000;

Oceanside Harbor, Calif.

Oceanside Harbor, California: House Document Numbered 76, Eighty-ninth Congress, maintenance. The Secretary of the Army is authorized to reimburse local interests for any work done by such interests on such project after August 1, 1965, if he approves such work as being in accordance with the project as otherwise authorized.

Oregon.

Port Orford, Oregon: Senate Document Numbered 62, Eighty-eighth Congress, at an estimated cost of $696,000;

Chetco River, Oregon: Senate Document Numbered 21, Eighty-ninth Congress, at an estimated cost of $1,308,000;

Tillamook Bay and Bar, Oregon: Senate Document Numbered 43, Eighty-ninth Congress, at an estimated cost of $9,000,000;

Washington.

Edmonds Harbor, Washington: House Document Numbered 147, Eighty-eighth Congress, maintenance;

Hawaii.

Coasts of the Hawaiian Islands, harbors for light-draft vessels, Hawaii: House Document Numbered 353, Eighty-eighth Congress, at an estimated cost of $4,737,000;

Honokahau Harbor, Hawaii: House Document Numbered 68, Eighty-ninth Congress, at an estimated cost of $680,000;

Honolulu Harbor and Barbers Point Harbor, Oahu, Hawaii: House Document Numbered 93, Eighty-ninth Congress, at an estimated cost of $9,928,000;

Kawaihae Harbor, Hawaii: House Document Numbered 75, Eighty-ninth Congress, at an estimated cost of $2,291,000;

BEACH EROSION

Rhode Island.

Cliff Walk, Newport, Rhode Island: House Document Numbered 228, Eighty-ninth Congress, at an estimated cost of $340,000;

New Jersey.

Perth Amboy, New Jersey: House Document Numbered 186, Eighty-ninth Congress, at an estimated cost of $82,000;

Atlantic City, New Jersey: House Document Numbered 325, Eighty-eighth Congress, periodic nourishment;

South Carolina.

Hunting Island Beach, South Carolina: House Document Numbered 323, Eighty-eighth Congress, at an estimated cost of $319,000;

Florida.

Duval County, Florida: House Document Numbered 273, Eighty-ninth Congress, at an estimated cost of $2,266,000;

Fort Pierce, Florida: House Document Numbered 84, Eighty-ninth Congress, at an estimated cost of $220,000;

Illinois.

Evanston, Illinois: House Document Numbered 159, Eighty-ninth Congress, at an estimated cost of $392,000;

Hawaii.

Haleiwa Beach, Oahu, Hawaii: House Document Numbered 107, Eighty-ninth Congress, at an estimated cost of $572,000;

Waikiki Beach, Hawaii: House Document Numbered 104, Eighty-ninth Congress, at an estimated cost of $2,490,000.

Aquatic plant control project. 33 USC 610.

SEC. 302. Section 104 of the River and Harbor Act of 1958 (72 Stat. 297, 300), as amended by section 104 of the River and Harbor Act of 1962 (76 Stat. 1173, 1180), is hereby further amended to read as follows:

"SEC. 104. (a) There is hereby authorized a comprehensive program to provide for control and progressive eradication of water-hyacinth, alligatorweed, Eurasian water milfoil, and other obnoxious aquatic plant growths, from the navigable waters, tributary streams, connecting channels, and other allied waters of the United States, in the combined interest of navigation, flood control, drainage, agriculture, fish and wildlife conservation, public health, and related purposes, including continued research for development of the most effective and economic control measures, to be administered by the Chief of Engineers, under the direction of the Secretary of the Army,

in cooperation with other Federal and State agencies. Local interests shall agree to hold and save the United States free from claims that may occur from control operations and to participate to the extent of 30 per centum of the cost of such operations. Costs for research and planning undertaken pursuant to the authorities of this section shall be borne fully by the Federal Government.

Appropriation.

"(b) There are authorized to be appropriated such amounts, not in excess of $5,000,000 annually, as may be necessary to carry out the provisions of this section. Any such funds employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based upon the urgency and need of each area, and the availability of local funds."

Susquehanna River dam, Pa. Construction authorization. 30 Stat. 1151.

SEC. 303. The consent of Congress is hereby granted for the purposes of section 9 of the Act of March 3, 1899 (33 U.S.C. 401), to the State of Pennsylvania, to construct a dam on the Susquehanna River, downstream from the Bainbridge Street Bridge at Sunbury, Pennsylvania.

Surveys, authorization.

SEC. 304. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following locations and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:

64 Stat. 168.

Jonesport Harbor, Maine.

Blue Hill Harbor, Maine.

Great and Little Bays and their tributaries, New Hampshire, and adjoining tributaries of the Piscataqua River, New Hampshire and Maine, with a view to determining the advisability of providing improvements in the interest of navigation and allied purposes.

Popponesset Bay, Massachusetts.

Niagara River, New York, with respect to nature and extent of measures necessary to preserve and enhance the scenic beauty of the American Falls.

Contents of reports.

Great Lakes and Saint Lawrence Seaway: Investigation and study of means of extending the navigation season on the waterways at an estimated cost not to exceed $75,000. Report to include a full and complete investigation and study of waterway deicing systems, including a review of any previous pertinent reports by the Department of the Army, any available information from any of the other Departments of the Government, and waterway deicing methods in use by private concerns and foreign governments, for the purpose of determining the practicability, means, and economic justification for extending the navigation season on the Great Lakes (including connecting channels and harbors) and the Saint Lawrence Seaway by eliminating ice conditions to the extent possible. The Chief of Engineers may submit such interim reports as may be deemed advisable, and shall submit his final reports, together with his recommendations for such legislation and administrative actions as he may deem advisable, not later than two years after funds are made available for the study.

Lake Dauterive and Chareton Floodgate, Louisiana.

Dickinson Bayou, Texas.

Manchester Harbor, Washington.

Gulfport Harbor, Mississippi.

Calumet River, Illinois.

Gulf Intracoastal Waterway, from about mile 29 West of Harvey Lock to U.S. Highway No. 90 in vicinity of Boutte, Louisiana.

Intracoastal Waterway from the Caloosahatchee River to the Withlacoochee River, Florida, with a view to determining the advisability of modifying the project, with particular reference to provision for a side channel or connecting channel improvement through Cross Bayou

to Old Tampa Bay, in the vicinity of Howard Frankland Bridge, for navigation, flood control, and related purposes.

San Francisco County, California (beach erosion).

Lake Michigan Shoreline, Milwaukee County, Wisconsin (beach erosion).

Indian River County, Florida (beach erosion).

Marquette County, Michigan (comprehensive).

SEC. 305. The first proviso in the paragraph which begins "James River, Virginia:" in section 101 of the River and Harbor Act of 1962 (Public Law 87-874) is amended by striking out "after a period of five years from the date of approval of this Act unless the Governor of Virginia has endorsed the project within that time" and inserting in lieu thereof "October 23, 1971, unless the Governor of Virginia has endorsed the project by that date".

76 Stat. 1174.

SEC. 306. Section 107 of the River and Harbor Act of 1948 (62 Stat. 1174) is amended by striking out "$5,000" and inserting in lieu thereof "$22,000".

22 USC 275a.

East River, N.Y., nonnavigable.

SEC. 307. That portion of the East River, in New York County, State of New York, lying between the south line of East Seventeenth Street, extended eastwardly, the United States pierhead line as it existed on July 1, 1965, and the south line of East Thirtieth Street, extended eastwardly, is hereby declared to be not a navigable water of the United States within the meaning of the Constitution and the laws of the United States.

River Raisin, Mich., nonnavigable.

SEC. 308. The old channel of the River Raisin in Monroe County, Michigan, lying between the Monroe Harbor range front light and Raisin Point, its entrance into Lake Erie, is declared to be not a navigable stream of the United States within the meaning of the Constitution and the laws of the United States, and the consent of Congress is hereby given for the filling in of the old channel by the riparian owners on such channel.

Remedial works.

33 USC 633.

SEC. 309. Section 111 of the River and Harbor Act of 1958 (72 Stat. 303) is amended to read as follows:

"SEC. 111. Whenever, during the construction or reconstruction of any navigation, flood control, or related water development project under the direction of the Secretary of the Army, the Chief of Engineers determines that any structure or facility owned by an agency of government and utilized in the performance of a governmental function should be protected, altered, reconstructed, relocated, or replaced to meet the requirements of navigation or flood control, or both; or to preserve the safety or integrity of such facility when its safety or usefulness is determined by the Chief of Engineers to be adversely affected or threatened by the project, the Chief of Engineers may, if he deems such action to be in the public interest, enter into a contract providing for (1) the payment from appropriations made for the construction or maintenance of such project, of the reasonable cost of replacing, relocating, or reconstructing such facility to such standard as he deems reasonable but not to exceed the minimum standard of the State or political subdivision for the same type of facility involved, except that if the existing facility exceeds the minimum standard of the State or political subdivision, the Chief of Engineers may provide a facility of comparable standard, or (2) the payment of a lump sum representing the estimated reasonable cost thereof. This section shall not be construed as modifying any existing or future requirement of local cooperation, or as indicating a policy that local interests shall not hereafter be required to assume costs of modifying such facilities. The provisions of this section may be applied to projects hereafter authorized and to those heretofore authorized but not completed as of July 3, 1958, and notwithstanding the navigation servitude vested

in the United States, they may be applied to such structures or facilities occupying the beds of navigable waters of the United States."

SEC. 310. (a) (1) Subsection (a) of section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended by striking out "$2,000,000" and inserting in lieu thereof "$10,000,000". 74 Stat. 486.

(2) Subsection (b) of such section 107 is amended by striking out "$200,000" and inserting in lieu thereof "$500,000".

(b) Section 3 of the Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946, as amended (33 U.S.C. 426g), is amended (1) by striking out "$3,000,000" and inserting in lieu thereof "$10,000,000", and (2) by striking out "$400,000" and inserting in lieu thereof "$500,000". 76 Stat. 1178.

(c) The amendments made by this section shall not apply to any project under contract for construction on the date of the enactment of this Act.

SEC. 311. The project for Calumet Harbor and River, Illinois and Indiana, as authorized by section 101 of the River and Harbor Act of 1962 (76 Stat. 1173), is modified in order to authorize the Chief of Engineers, at his discretion, under the direction of the Secretary of the Army, to provide at Federal cost (1) such protection for the Elgin, Joliet, and Eastern Railway bridge over the Calumet River, Chicago, Illinois, as is necessary to permit dredging of the full width of the south draw to the depth of twenty-seven feet, (2) such temporary protection for the center pier and the south abutment of the New York, Chicago, and Saint Louis Railroad bridge (Nickel Plate) as is necessary to permit dredging of the full width of the south bridge draw to the depth of twenty-seven feet prior to its replacement, and (3) such modification of the channel limits as is necessary to insure full use of each such draw. Calumet Harbor and River, Ill.-Ind. Project modification.

SEC. 312. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make a complete investigation and study of water utilization and control of the Chesapeake Bay Basin, including the waters of the Baltimore Harbor and including, but not limited to, the following: navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion, and recreation. In order to carry out the purposes of this section, the Secretary, acting through the Chief of Engineers, shall construct, operate, and maintain in the State of Maryland a hydraulic model of the Chesapeake Bay Basin and associated technical center. Such model and center may be utilized, subject to such terms and conditions as the Secretary deems necessary, by any department, agency, or instrumentality of the Federal Government or of the States of Maryland, Virginia, and Pennsylvania, in connection with any research, investigation, or study being carried on by them of any aspect of the Chesapeake Bay Basin. The study authorized by this section shall be given priority. Chesapeake Bay Basin. Water utilization study.

(b) There is authorized to be appropriated not to exceed $6,000,000 to carry out this section. Appropriation.

SEC. 313. The Secretary of the Army shall transmit to the Committees on Public Works of the Senate and the House of Representatives not later than June 30, 1968, a suggested draft of legislation revising and codifying the general and permanent laws relating to civil works projects by the Corps of Engineers for navigation, beach erosion control, flood control, and related water resources development. The Secretary shall also submit a report explaining the proposed legislation, and making specific reference to each change in or omission of any provision of existing law. Reports to congressional committees.

Reimbursement of States for water resources projects, study.

SEC. 314. The Secretary of the Army, acting through the Chief of Engineers, shall make a study of the need for, and the feasibility of, the Federal Government reimbursing States, political subdivisions thereof, and other public entities, for expenditures incurred by them in connection with authorized projects for improvement of rivers and harbors and other waterways for navigation, flood control, hurricane protection, beach erosion control, and other water resources development purposes, to the extent that such expenditures are incurred after the initiation of the survey studies which form the basis for such authorized projects. The Secretary shall report to Congress, not later than January 31, 1967, the results of such study together with his recommendations in connection therewith.

Report to Congress.

Citation of title.

SEC. 315. Title III of this Act may be cited as the "River and Harbor Act of 1965".

Approved October 27, 1965.

Public Law 89-299

October 28, 1965
[H. R. 9220]

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 Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, the Delaware River Basin Commission, and the Interoceanic Canal Commission, for the fiscal year ending June 30, 1966, and for other purposes.

Public Works Appropriation Act, 1966.

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, 1966, 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 Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, the Delaware River Basin Commission, and the Interoceanic Canal Commission, 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 five passenger motor vehicles, of which three shall be 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; $13,739,000: *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, $25,435,000, to remain available until expended: *Provided*, That $310,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service 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, of 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); $993,279,000, 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 $500,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service 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.

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, outside of harbor lines, and serving essential needs of general commerce and navigation; 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; $175,762,000, to remain available until expended.

FLOOD CONTROL, HURRICANE AND SHORE PROTECTION 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, $12,000,000, 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; $16,537,000.

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), $84,942,500, to remain available until expended.

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 eighty-four, of which one hundred and sixty-nine shall be for replacement only) and hire of passenger motor vehicles: *Provided*, That the total capital of said fund shall not exceed $145,000,000.

5 USC 2318.

68 Stat. 1114.

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, $31,000,000. 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 nine 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; $9,000,000, 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 $11,000,000 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 twenty-one passenger motor vehicles, of which eighteen are for replacement only, including one light sedan 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.

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.

60 Stat. 810.

Expenditures hereafter made for maintaining and operating the Thatcher Ferry Bridge and approaches thereto (including depreciation but not interest) shall be included and treated for all purposes as a cost of operating and maintaining the Panama Canal and its related facilities and appurtenances.

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, $14,232,000, of which $12,847,000 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 $405,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service 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.

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, $196,661,500 of which $90,000,000 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: *Provided further*, That not to exceed $2,200,000 shall be available for construction of additional facilities associated with delivery of Colorado River water to Mexico, and to be nonreimbursable: *Provided further*, That not to exceed $450,000 shall be available for replacement of the Paradise Valley Diverson Dam on the Milk River project, Montana, with facilities to serve the lands of the Paradise Valley Irrigation District, to be repaid in full under terms and conditions satisfactory to the Secretary of the Interior.

San Luis unit.

Federal share of costs, limitation.

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, $41,305,000, of which $29,547,000 shall be derived from the reclamation fund and $1,629,000 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, $13,495,000 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).

70 Stat. 1044.

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, $48,011,500, of which $43,528,000 shall be available for the "Upper Colorado River Basin Fund" authorized by section 5 of said Act of April 11, 1956, and $4,483,500 shall be available for construction 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 $163,000 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.

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, $10,775,000, 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

32 Stat. 388.

45 Stat. 1057.

54 Stat. 774.

expenditure under the heads "Operation and Maintenance" and "General Administrative Expenses" shall revert and be credited to the special fund from which derived.

ADMINISTRATIVE PROVISIONS

Appropriations to the Bureau of Reclamation shall be available for purchase of not to exceed forty-nine passenger motor vehicles for replacement only; purchase of one aircraft; payment of claims for damage 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".

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: *Provided*, That net revenues not to exceed an additional $88,000 to the amount authorized in the Public Works Appropriation Act, 1964 (77 Stat. 850) arising from the lease of grazing and agricultural lands within the Tule Lake and Lower Klamath Lake Divisions as determined by the Secretary may be credited to the cost heretofore and hereafter incurred for the Klamath project water rights program, notwithstanding the provisions of section 2(c) of the Act of June 17, 1944, and sections 2(a), 2(b), and 2(c) of the Act of August 1, 1956.

58 Stat. 279; 70 Stat. 799.

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).

43 USC 612 and note.

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 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.

BONNEVILLE POWER ADMINISTRATION

CONSTRUCTION

For construction and acquisition of transmission lines, substations, and appurtenant facilities, as authorized by law, and purchase of one aircraft, $97,777,000, 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, $15,988,000.

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, $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, $1,700,000, to remain available until expended. 58 Stat. 890.

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, $1,800,000.

CONTINUING FUND

Not to exceed $4,000,000 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

Emergency construction.

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.

Fire prevention.

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.

Operation of warehouses, etc.

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. 47 Stat. 417.

Southwestern Power Administration, funds.

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.

TITLE III—ATOMIC ENERGY COMMISSION

OPERATING EXPENSES

68 Stat. 919. 42 USC 2011 note. 60 Stat. 810.

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 passenger motor vehicles; $2,121,900,000, 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.

69 Stat. 471.

PLANT AND CAPITAL EQUIPMENT

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 five hundred and fifty-nine, of which four hundred and twenty-three are for replacement only, and hire of passenger motor vehicles; and purchase of three aircraft: $243,995,000, 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 fiscal year 1966 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.

Not to exceed 5 per centum of appropriations made available for the fiscal year 1966 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.

Transfer of funds.
Reports to congressional committees.

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 Commission 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.

Restriction on fellowships.

Penalty.

TITLE IV—INDEPENDENT OFFICES

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 $490,000 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.

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 hire, maintenance, and operation of aircraft, and purchase (not to exceed two hundred and seventy-five of which two hundred

48 Stat. 58.
16 USC 831.

and sixty shall be for replacement only) and hire of passenger motor vehicles, $59,347,000, to remain available until expended.

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), $44,000.

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), $96,000.

HOUSING AND HOME FINANCE AGENCY

OFFICE OF THE ADMINISTRATOR

ADMINISTRATIVE EXPENSES, PUBLIC WORKS ACCELERATION

For administrative expenses necessary to carry out the functions of the Administrator in connection with the Public Works Acceleration Act (42 U.S.C. 2641-2643), $500,000.

76 Stat. 541.

INTEROCEANIC CANAL 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, $7,000,000.

TITLE V—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Purchase of motor vehicles.

60 Stat. 810.

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.

Compensation payments. Citizenship status requirement.

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 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.

5 USC 3033-3038.

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.

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 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.

Foreign credits, use.

31 USC 724.

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.

Publicity or propaganda.

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.

Short title.

This Act may be cited as the "Public Works Appropriation Act, 1966".

Approved October 28, 1965.

Public Law 89-300

October 28, 1965
[H. R. 5167]

AN ACT

To amend title 38 of the United States Code to authorize the administrative settlement of tort claims arising in foreign countries, and for other purposes.

Veterans Administration.
72 Stat. 1116.
38 USC 230-235.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter III of chapter 3 of title 38, United States Code, is amended by adding a new section 236 as follows:

"§ 236. Administrative settlement of tort claims arising in foreign countries

63 Stat. 62;
73 Stat. 471.

"The Administrator may pay tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, when such claims arise in foreign countries in connection with Veterans' Administration operations abroad. A claim may not be allowed under this section unless it is presented in writing to the Administrator or his designee within two years after the claim accrues."

(b) The analysis of chapter 3 of such title 38, is amended by adding at the end thereof the following:

"236. Administrative settlement of tort claims arising in foreign countries."

Employee benefits.
73 Stat. 265.

(c) Section 235 of title 38, United States Code, is amended to read as follows: "The Administrator may, under such rules and regulations as may be prescribed by the President or his designee, provide to personnel of the Veterans' Administration who are United States citizens and are assigned by the Administrator to the Veterans' Administration offices in the Republic of the Philippines or to the Veterans' Administration office in Europe, established pursuant to section 230(c) of this title, allowances and benefits similar to those provided by the following provisions of law:

76 Stat. 927.

74 Stat. 801.

"(1) Section 1131 of title 22 (relating to allowances to provide for the proper representation of the United States).

60 Stat. 1026.

"(2) Section 1136 (1), (2), (3), (4), (5), and (7) of title 22 (relating to travel expenses).

74 Stat. 847.

"(3) Section 1138 of title 22 (relating to transportation of automobiles).

60 Stat. 1028;
75 Stat. 464.

"(4) Section 1148 of title 22 (relating to the return of personnel to the United States on leave of absence).

70 Stat. 706.

"(5) Section 1156 of title 22 (relating to payments by the United States of expenses for treating illness or injury of officers or employees and dependents requiring hospitalization).

"The foregoing authority supplements, but is not in lieu of, other allowances and benefits for overseas employees of the Veterans Administration provided by titles 5 and 22."

(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".

EMPLOYEES SUBJECT TO CLASSIFICATION ACT OF 1949

Federal Employees Salary Act of 1965.

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.

(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.

Public Law 89-304

AN ACT

October 30, 1965
[H. R. 23]

To authorize the Secretary of the Interior to initiate with the several States a cooperative program for the conservation, development, and enhancement of the Nation's anadromous fish, 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) for the purpose of conserving, developing, and enhancing within the several States the anadromous fishery resources of the Nation that are subject to depletion from water resources developments and other causes, or with respect to which the United States has made conservation commitments by international agreements, and for the purpose of conserving, developing, and enhancing the fish in the Great Lakes that ascend streams to spawn, the Secretary of the Interior is authorized to enter into cooperative agreements with one or more States, acting jointly or severally, that are concerned with the development, conservation, and enhancement of such fish, and, whenever he deems it appropriate, with other non-Federal interests. Such agreements shall describe (1) the actions to be taken by the Secretary and the cooperating parties, (2) the benefits that are expected to be derived by the States and other non-Federal interests, (3) the estimated cost of these actions, (4) the share of such costs to be borne by the Federal Government and by the States and other non-Federal interests: *Provided*, That the Federal share, including the operation and maintenance costs of any facilities constructed by the Secretary pursuant to this Act, which he annually determines to be a proper Federal cost, shall not exceed 50 per centum of such costs exclusive of the value of any Federal land involved: *Provided further*. That the non-Federal share may be in the form of real or personal property, the value of which will be determined by the Secretary, as well as money, (5) the term of the agreement, (6) the terms and conditions for disposing of any real or personal property acquired by the Secretary during or at the end of the term of the agreement, and (7) such other terms and conditions as he deems desirable.

Anadromous and Great Lakes fisheries.
Conservation.

Cooperative agreement provisions with the States.

Federal and non-Federal costs.

(b) The Secretary may also enter into agreements with the States for the operation of any facilities and management and administration of any lands or interests therein acquired or facilities constructed pursuant to this Act.

Management functions.

SEC. 2. The Secretary, in accordance with any agreements entered into pursuant to section 1(a) of this Act, is authorized (1) to conduct such investigations, engineering and biological surveys, and research as may be desirable to carry out the program; (2) to carry out stream clearance activities; (3) to construct, install, maintain, and operate devices and structures for the improvement of feeding and spawning conditions, for the protection of fishery resources, and for facilitating the free migration of the fish; (4) to construct, operate, and maintain fish hatcheries wherever necessary to accomplish the purposes of this Act; (5) to conduct such studies and make such recommendations as the Secretary determines to be appropriate regarding the development and management of any stream or other body of water for the conservation and enhancement of anadromous fishery resources and the fish in the Great Lakes that ascend streams to spawn: *Provided*, That the reports on such studies and the recommendations of the Secretary shall be transmitted to the States, the Congress, and the Federal water resources construction agencies for their information: *Provided further*. That this Act shall not be construed as authorizing the formulation or construction of water resources projects, except

Investigations, surveys, studies, etc.

Reports to States, Congress and others.

that water resources projects which are determined by the Seretary to be needed solely for the conservation, protection, and enhancement of such fish may be planned and constructed by the Bureau of Reclamation in its currently authorized geographic area of responsibility, or by the Corps of Engineers, or by the Department of Agriculture, or by the States, with funds made available by the Secretary under this Act and subject to the cost-sharing and appropriations provisions of this Act; (6) to acquire lands or interests therein by purchase, lease, donation, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition: *Provided*, That the lands or interests therein so exchanged shall involve approximately equal values, as determined by the Secretary: *Provided further*, 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; (7) to accept donations of funds and to use such funds to acquire or manage lands or interests therein; and (8) to administer such lands or interests therein for the purposes of this Act. Title to lands or interests therein acquired pursuant to this Act shall be in the United States.

SEC. 3. Activities authorized by this Act to be performed on lands administered by other Federal departments or agencies shall be carried out only with the prior approval of such departments or agencies.

Appropriations.

SEC. 4. (a) There is authorized to be appropriated for the period ending on June 30, 1970, not to exceed $25,000,000 to carry out the purposes of this Act.

(b) Not more than $1,000,000 of the funds appropriated under this section in any one fiscal year shall be obligated in any one State.

SEC. 5. This Act shall not be construed to affect, modify, or apply to the same area as the provisions of the Act of May 11, 1938 (52 Stat. 345), as amended (16 U.S.C. 755-757).

Recommendations to HEW.

60 Stat. 1081.

SEC. 6. The Secretary of the Interior shall, on the basis of studies carried out pursuant to this Act and section 5 of the Fish and Wildlife Coordination Act (48 Stat. 402), as amended (16 U.S.C. 665), make recommendations to the Secretary of Health, Education, and Welfare concerning the elimination or reduction of polluting substances detrimental to fish and wildlife in interstate or navigable waters or the tributaries thereof. Such recommendations and any enforcement measures initiated pursuant thereto by the Secretary of Health, Education, and Welfare shall be designed to enhance the quality of such waters, and shall take into consideration all other legitimate uses of such waters.

Approved October 30, 1965.

Public Law 89-305

October 30, 1965
[H. R. 9495]

AN ACT

To increase the appropriation authorization for the Franklin Delano Roosevelt Memorial Commission, and for other purposes.

Franklin Delano Roosevelt Memorial Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "To direct the Franklin Delano Roosevelt Memorial Commission to consider possible changes in the winning design for the proposed memorial or the selection of a new design for such memorial", approved October 18, 1962 (76 Stat. 1079), is amended by striking the words "not later than June 30, 1963" following the word "President" in section 2 and inserting a period, and by striking "$25,000" from section 3 and substituting "$125,000".

Approved October 30, 1965.

Public Law 89-306

AN ACT

October 30, 1965
[H. R. 4845]

To provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That title I of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is hereby amended by adding a new section to read as follows:

Automatic data processing equipment.
Purchase and utilization.
5 USC 630-630g-1.

"AUTOMATIC DATA PROCESSING EQUIPMENT

"SEC. 111. (a) The Administrator is authorized and directed to coordinate and provide for the economic and efficient purchase, lease, and maintenance of automatic data processing equipment by Federal agencies.

"(b)(1) Automatic data processing equipment suitable for efficient and effective use by Federal agencies shall be provided by the Administrator through purchase, lease, transfer of equipment from other Federal agencies, or otherwise, and the Administrator is authorized and directed to provide by contract or otherwise for the maintenance and repair of such equipment. In carrying out his responsibilities under this section the Administrator is authorized to transfer automatic data processing equipment between Federal agencies, to provide for joint utilization of such equipment by two or more Federal agencies, and to establish and operate equipment pools and data processing centers for the use of two or more such agencies when necessary for its most efficient and effective utilization.

"(2) The Administrator may delegate to one or more Federal agencies authority to operate automatic data processing equipment pools and automatic data processing centers, and to lease, purchase, or maintain individual automatic data processing systems or specific units of equipment, including such equipment used in automatic data processing pools and automatic data processing centers, when such action is determined by the Administrator to be necessary for the economy and efficiency of operations, or when such action is essential to national defense or national security. The Administrator may delegate to one or more Federal agencies authority to lease, purchase, or maintain automatic data processing equipment to the extent to which he determines such action to be necessary and desirable to allow for the orderly implementation of a program for the utilization of such equipment.

ADP fund, establishment.

"(c) There is hereby authorized to be established on the books of the Treasury an automatic data processing fund, which shall be available without fiscal year limitation for expenses, including personal services, other costs, and the procurement by lease, purchase, transfer, or otherwise of equipment, maintenance, and repair of such equipment by contract or otherwise, necessary for the efficient coordination, operation, utilization of such equipment by and for Federal agencies: *Provided*, That a report of equipment inventory, utilization, and acquisitions, together with an account of receipts, disbursements, and transfers to miscellaneous receipts, under this authoriza-

Equipment acquisitions and utilization.

Report to Budget Bureau and Congress.

tion shall be made annually in connection with the budget estimates to the Director of the Bureau of the Budget and to the Congress, and the inclusion in appropriation acts of provisions regulating the operation of the automatic data processing fund, or limiting the expenditures therefrom, is hereby authorized.

Appropriation.

"(d) There are authorized to be appropriated to said fund such sums as may be required which, together with the value, as determined by the Administrator, of supplies and equipment from time to time transferred to the Administrator, shall constitute the capital of the fund: *Provided*, That said fund shall be credited with (1) advances and reimbursements from available appropriations and funds of any agency (including the General Services Administration), organization, or contractor utilizing such equipment and services rendered them, at rates determined by the Administrator to approximate the costs thereof met by the fund (including depreciation of equipment, provision for accrued leave, and for amortization of installation costs, but excluding, in the determination of rates prior to the fiscal year 1967, such direct operating expenses as may be directly appropriated for, which expenses may be charged to the fund and covered by advances or reimbursements from such direct appropriations) and (2) refunds or recoveries resulting from operations of the fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of or damage to property: *Provided further*, That following the close of each fiscal year any net income, after making provisions for prior year losses, if any, shall be transferred to the Treasury of the United States as miscellaneous receipts.

63 Stat. 384.
40 USC 481, 474.

"(e) The proviso following paragraph (4) in section 201(a) of this Act and the provisions of section 602(d) of this Act shall have no application in the administration of this section. No other provision of this Act or any other Act which is inconsistent with the provisions of this section shall be applicable in the administration of this section.

Scientific and technological advisory services by Secretary of Commerce.

"(f) The Secretary of Commerce is authorized (1) to provide agencies, and the Administrator of General Services in the exercise of the authority delegated in this section, with scientific and technological advisory services relating to automatic data processing and related systems, and (2) to make appropriate recommendations to the President relating to the establishment of uniform Federal automatic data processing standards. The Secretary of Commerce is authorized to undertake the necessary research in the sciences and technologies of automatic data processing computer and related systems, as may be required under provisions of this subsection.

"(g) The authority conferred upon the Administrator and the Secretary of Commerce by this section shall be exercised subject to direction by the President and to fiscal and policy control exercised by the Bureau of the Budget. Authority so conferred upon the Administrator shall not be so construed as to impair or interfere with the determination by agencies of their individual automatic data processing equipment requirements, including the development of specifications for and the selection of the types and configurations of equipment needed. The Administrator shall not interfere with, or attempt to control in any way, the use made of automatic data processing equipment or components thereof by any agency. The Administra-

tor shall provide adequate notice to all agencies and other users concerned with respect to each proposed determination specifically affecting them or the automatic data processing equipment or components used by them. In the absence of mutual agreement between the Administrator and the agency or user concerned, such proposed determinations shall be subject to review and decision by the Bureau of the Budget unless the President otherwise directs."

Notice to agencies.

Approved October 30, 1965.

Public Law 89-307

AN ACT

October 30, 1965 [S. 516]

To amend the joint resolution entitled "Joint resolution to establish the Saint Augustine Quadricentennial Commission, and for other purposes", approved August 14, 1962 (76 Stat. 386), to provide that eight members of such Commission shall be appointed by the President, and that such Commission may continue in existence until December 31, 1966.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of the first section of the joint resolution entitled "Joint resolution to establish the Saint Augustine Quadricentennial Commission, and for other purposes", approved August 14, 1962 (76 Stat. 386), is amended by striking "eleven" and inserting in lieu thereof "thirteen".

St. Augustine Quadricentennial Commission.

(b) Paragraph (4) of subsection (a) of such section is amended by striking "Six" and inserting in lieu thereof "Eight".

SEC. 2. Section 4(b) of such joint resolution is amended by inserting, immediately after "Congress" in the last sentence thereof, the following: ", except that the Commission may continue in existence until December 31, 1966."

Approved October 30, 1965.

Public Law 89-308

AN ACT

October 31, 1965 [H. R. 4170]

To provide for adjustments in annuities under the Foreign Service retirement and disability system.

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 Service Annuity Adjustment Act of 1965".

Foreign Service Annuity Adjustment Act of 1965.

SEC. 2. (a) Annuities paid from the Foreign Service retirement and disability fund on the date of enactment of this Act, based on service performed by annuitants which terminated prior to October 16, 1960, shall be adjusted under the provisions of section 821(b) of the Foreign Service Act of 1946, as in effect on October 16, 1960, relating to the formula for reduction in annuity to provide for a surviving widow, as though such provisions had been in effect on the date of the annuitant's separation from the Service, or, in the case of any annuitant who makes an election under paragraph (1) or (2) of this subsection, in accordance with the following:

74 Stat. 839. 22 USC 1076.

Widow survivor benefits.

(1) An annuitant who at time of retirement was married to a wife who is still living (and to whom he is married on the date of enactment of this Act), and for whom he has not elected a widow survivor benefit before such date of enactment, may, within one hundred and twenty days after such date of enactment, elect to provide a widow survivor benefit of $2,400 per annum. The annuity of an annuitant who makes an election under this paragraph shall be reduced by $300 per annum.

(2) An annuitant who at time of retirement was married to a wife who is still living (and to whom he is married on the date of enactment of this Act) and for whom he has elected, before such date of enactment, a widow survivor benefit of less than $2,400 per annum, may, within one hundred and twenty days after such date of enactment, elect to provide a widow survivor benefit of $2,400 per annum. The annuity of an annuitant who makes an election under this paragraph shall be reduced by $300 per annum in lieu of any reductions of his annuity in effect on the date of enactment of this Act because of elections made by him before such date of enactment in connection with the provision of a widow survivor annuity.

(b) If an annuitant referred to in paragraph (a)(1) or (a)(2) of this section dies within one hundred and twenty days after the date of enactment of this Act, without having made an election under such paragraph (a)(1) or (a)(2), his surviving widow shall be paid the greater of—

(1) $2,400; or

(2) the annuity to which she may be entitled from the Foreign Service retirement and disability fund as his widow under any provision of law in effect on the date of the death of the annuitant.

Payments to retirement fund.

(c) Notwithstanding the foregoing provisions of this section, each annuitant who makes an election under paragraph (1) of subsection (a) shall pay into the Foreign Service retirement and disability fund an amount equal to the amount by which (A) the total annuity received by the annuitant prior to the effective date of any adjustment in his annuity pursuant to such election exceeds (B) the total annuity which he would have received prior to such date had he elected a survivor annuity of $2,400 per annum at the time of such retirement. The Secretary of State may permit the payment required by this subsection to be made in installments of not less than $25 per month.

Installment provision.

Deferred annuity.

SEC. 3. If a former participant whose service as a class 4 Foreign Service officer was terminated prior to October 16, 1960, and who elected a deferred annuity, dies before becoming eligible to receive an annuity, the benefit of the surviving widow, if she was eligible under the terms of the law in effect upon his separation from the Service, shall not be less than $2,400 per annum.

SEC. 4. In any case in which an annuitant who retired prior to October 16, 1960, dies before the date of enactment of this Act, leaving a widow to whom he was married at time of retirement who is not entitled to receive an annuity under the Foreign Service retirement and disability system, and who is not receiving benefits as a widow under the Federal Employees' Compensation Act, the Secretary of State shall grant such widow, whether remarried or not, an annuity of $2,400 per annum.

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

SEC. 5. The annuity of each widow survivor annuitant who, on the date of enactment of this Act, is receiving a survivor annuity from the Foreign Service retirement and disability fund of less than $2,400 per annum is hereby increased to $2,400 per annum.

Widows receiving less than $2400.

SEC. 6. The annuity benefits elected or provided with respect to any widow under section 2, 3, 4, or 5 of this Act shall be in lieu of any annuity benefits to which such widow otherwise would be entitled as the widow of the Foreign Service officer with respect to whom such annuity benefits are so elected or provided.

SEC. 7. Any increase, adjustment, or grant of an annuity under section 2, 4, or 5 of this Act shall commence on the first day of the month following the expiration of the one-hundred-and-twenty-day period beginning on the date of enactment of this Act, and the monthly rate payable shall be fixed at the nearest dollar.

Effective date; monthly rate.

SEC. 8. Annuity benefits provided by this Act shall be paid from the Foreign Service retirement and disability fund; except that, no part of such fund shall be applied toward the payment of any benefits under section 2, 4, or 5 of this Act until an appropriation is made to such fund in an amount which the Secretary of the Treasury estimates to be necessary to prevent an increase in the unfunded liability to such fund for the first fiscal year during which such benefits are payable.

Payment from retirement and disability fund.

SEC. 9. Title VIII of the Foreign Service Act of 1946, as amended, is amended as follows:

(1) Section 821(b) of such Act (22 U.S.C. 1076(b)) is amended to read as follows:

74 Stat. 839.

"(b)(1) At the time of retirement, any married female participant may elect to receive a reduced annuity and to provide for an annuity payable to her husband, commencing on the date following such participant's death and terminating upon the death of such surviving husband. The annuity payable to the surviving husband after such participant's death shall be 50 per centum of the amount of the participant's annuity computed as prescribed in paragraph (a) of this section, up to the full amount of such annuity specified by her as the base for the survivor benefits. The annuity of the participant making such election shall be reduced by 2½ per centum of any amount up to $2,400 she specifies as the base for the survivor benefit plus 10 per centum of any amount over $2,400 so specified.

"(2) At the time of retirement, the annuity of each married male participant computed as prescribed in paragraph (a) of this section shall be reduced by $300 to provide for his surviving wife a minimum annuity of $2,400, except that, if his annuity is more than $4,800, he may elect up to 50 per centum of such annuity for his surviving wife, and if such election is made, his annuity shall be further reduced by 10 per centum of the difference between $4,800 and the base he specifies for the survivor benefit."

(2) The first sentence of section 832(b) of such Act (22 U.S.C. 1082(b)) is amended by inserting immediately before the period at the end thereof the following: "; except that the annuity of any widow shall not be less than $2,400".

74 Stat. 842.

(3) At the end of title VIII of such Act add the following:

60 Stat. 1019. 22 USC 1061-1116.

"PART J—COST-OF-LIVING ADJUSTMENTS OF ANNUITIES

"SEC. 882. (a) On the basis of determination made by the Civil Service Commission pursuant to section 18 of the Civil Service Retirement Act, as amended, pertaining to per centum change in the price index, the following adjustments shall be made:

Ante, p. 840; *Post*, p. 1162.

"(1) Effective April 1, 1966, if the change in the price index from 1962 to 1965 shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2, 1965, shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

"(2) Effective April 1 of any year other than 1966 after the price index change shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2 of the preceding year shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

"(b) 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 the date of the first increase under this section, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), which annuity commenced the day after the annuitant's death, shall be increased as provided in subsection (a)(1) or (a)(2) if the commencing date of annuity to the annuitant was earlier than January 2 of the year preceding the first increase.

74 Stat. 839. 22 USC 1076.

"(2) Effective from its commencing date, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), 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.

"(3) For purposes of computing an annuity which commences after the effective date of the first increase under this section to a child under section 821(c), the items $600, $720, $1,800, and $2,160 appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section and, in case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death. Effective from the date of the first increase under this section, the provisions of this paragraph shall apply as if such first increase were in effect with respect to computation of a child's annuity under section 821(c) which commenced between January 2 of the year preceding the first increase and the effective date of the first increase.

"(c) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

"(d) No increase in annuity provided by this section shall apply to amounts paid under authority of section 5 of Public Law 84-503, as amended, section 4 of the Foreign Service Annuity Adjustment Act of 1965, or any other law authorizing annuity grants to widows.

74 Stat. 371. 22 USC 1079d. *Ante*, p. 1130.

"(e) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar."

Approved October 31, 1965.

Public Law 89-309

AN ACT

October 31, 1965
[H. R. 11588]

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 Appropriation Act, 1966") for the fiscal year ending June 30, 1966, and for other purposes, namely:

Supplemental Appropriation Act, 1966.

CHAPTER I

DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

WATERSHED PROTECTION

For an additional amount for "Watershed protection", $140,000, to remain available until expended.

CONSUMER AND MARKETING SERVICE

CONSUMER PROTECTIVE, MARKETING, AND REGULATORY PROGRAMS

For an additional amount for "Consumer protective, marketing, and regulatory programs", $2,000,000.

OFFICE OF INFORMATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $200,000 for part 2 of the Annual Report of the Secretary for 1965 (known as the Yearbook of Agriculture) as authorized by section 73 of the Act of January 12, 1895 (44 U.S.C. 241) including not less than 232,250 copies for the use of the Senate and House of Representatives.

28 Stat. 612.

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND

For the Rural Housing Insurance Fund, created by section 517(e) of the Housing Act of 1949, as amended, $100,000,000, to remain available until expended.

Ante, p. 498.

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, $20,000,000.

Ante, p. 931.

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $4,500,000.

CHAPTER II

DISTRICT OF COLUMBIA

FEDERAL FUNDS

LOANS TO DISTRICT OF COLUMBIA

For an additional amount for "Loans to District of Columbia", $2,000,000, to be advanced to the general fund.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

General Operating Expenses

For an additional amount for "General operating expenses", $34,472.

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), $33,414.

D.C. Code 1-902 to 1-906.

CAPITAL OUTLAY

For an additional amount for "Capital outlay", for the purposes of the National Capital Transportation Act of 1965, $2,000,000, to remain available until expended.

Ante, p. 663.

DIVISION OF EXPENSES

The sums appropriated in this chapter 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.

CHAPTER III

FOREIGN OPERATIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

WELFARE ADMINISTRATION

ASSISTANCE TO REFUGEES IN THE UNITED STATES

For an additional amount for "Assistance to refugees in the United States", $12,600,000.

CHAPTER IV

INDEPENDENT OFFICES

CIVIL AERONAUTICS BOARD

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $125,000.

CIVIL SERVICE COMMISSION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $2,200,000.

FEDERAL AVIATION AGENCY

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), $140,000,000, to remain available until expended.

GENERAL SERVICES ADMINISTRATION

SITES AND EXPENSES, PUBLIC BUILDINGS PROJECTS

For an additional amount for "Sites and expenses, public buildings projects", $901,000, to remain available until expended.

CONSTRUCTION, PUBLIC BUILDINGS PROJECTS

For an additional amount for "Construction, public buildings projects", for approaches, utilities, and related work incident to construction of the Federal Bureau of Investigation Academy, Quantico, Virginia, $1,300,000, to remain available until expended.

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, $200,000.

OPERATING EXPENSES, FEDERAL SUPPLY SERVICE

For an additional amount for "Operating expenses, Federal Supply Service", $3,510,000.

HOUSING AND HOME FINANCE AGENCY

GRANTS FOR BASIC WATER AND SEWER FACILITIES

For grants authorized by section 702 of the Housing and Urban Development Act of 1965, $100,000,000, to remain available until expended. *Ante*, p. 490.

GRANTS TO AID ADVANCE ACQUISITION OF LAND

For grants authorized by section 704 of the Housing and Urban Development Act of 1965, $5,000,000, to remain available until expended.

Ante, p. 491.

PUBLIC WORKS PLANNING FUND

For an additional amount for "Public works planning fund", $5,000,000, to remain available until expended.

HOUSING FOR THE ELDERLY 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.), $50,000,000, to remain available until expended: *Provided*, That in addition to the amount otherwise available for administrative and nonadministrative expenses for the current fiscal year not to exceed $125,000 of the foregoing amount shall be available for such expenses.

73 Stat. 667; *Ante*, p. 457.

URBAN RENEWAL ADMINISTRATION

For additional amounts for "Urban renewal administration", to remain available until expended, $675,570,000 for the fiscal year 1966, including not to exceed $570,000 for administrative expenses during such year, and $725,000,000 for grants for the fiscal year 1967: *Provided*, That funds available for administrative expenses in the current fiscal year shall be available in connection with grants provided for in this paragraph: *Provided further*, That not to exceed $1,500,000 of the amount provided for each fiscal year in this paragraph for grants shall be available for rehabilitation grants pursuant to Sec. 115 of the Housing Act of 1949, as amended, and not to exceed $75,000,000 shall be available for code enforcement grants pursuant to Sec. 117 of such Act.

Ante, p. 457.
Ante, p. 478.

URBAN PLANNING GRANTS

For an additional amount for "Urban planning grants", $8,162,000, to remain available until expended.

OPEN SPACE LAND GRANTS

For an additional amount for "Open space land grants", $26,975,000, to remain available until expended: *Provided*, That this appropriation shall be available for grants as authorized by title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500): *Provided further*, That not to exceed $125,000 of this appropriation 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.

Ante, p. 494.

GRANTS FOR NEIGHBORHOOD FACILITIES

For grants authorized by section 703 of the Housing and Urban Development Act of 1965, $12,000,000, to remain available until expended.

Ante, p. 491.

OFFICE OF THE ADMINISTRATOR, SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), $2,185,000: *Provided*, That in addition to the amount otherwise available for the current fiscal year for nonadministrative expenses, as defined by law (77 Stat. 437), not to exceed $175,000 shall be available for such expenses: *Provided further*, That the provisions of law with respect to nonadministrative expenses referred to in the preceding proviso shall apply to projects financed with grants under sections 702, 703, and 906 of the Housing and Urban Development Act of 1965.

60 Stat. 810.

12 USC 1749d.

Ante, p. 490, 491, 495.

NATURAL DISASTER STUDY

For necessary expenses to enable the Administrator to conduct studies with respect to methods of helping to provide financial assistance to victims of natural disasters, as authorized by law, $1,000,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 408, Eighty-ninth Congress, or similar legislation.

FEDERAL HOUSING ADMINISTRATION

ADMINISTRATIVE EXPENSES, RENT SUPPLEMENT PROGRAM

For necessary expenses of the Commissioner in carrying out functions under section 101 of the Housing and Urban Development Act of 1965, delegated by the Housing and Home Finance Administrator, $450,000.

Ante, p. 451.

LIMITATION ON ADMINISTRATIVE AND NONADMINISTRATIVE EXPENSES, FEDERAL HOUSING ADMINISTRATION

In addition to amounts otherwise available for certain nonadministrative expenses, as classified by law, of the Federal Housing Administration during the current fiscal year, not to exceed $1,000,000 shall be available for such expenses of said agency.

PUBLIC HOUSING ADMINISTRATION

ADMINISTRATIVE EXPENSES

For an additional amount for "Administrative expenses", $500,000.

DEPARTMENT OF DEFENSE

CIVIL DEFENSE

OPERATION AND MAINTENANCE

During the current fiscal year, an additional amount of $3,375,000 shall be available in the appropriation for "Operation and maintenance", for allocation under section 205 of the Federal Civil Defense Act of 1950, as amended, and an additional amount of $750,000 shall be available in such appropriation for management expenses for civil defense.

72 Stat. 533; 78 Stat. 231. 50 USC app. 2286.

CHAPTER V

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

OREGON AND CALIFORNIA GRANT LANDS

For an additional amount for "Oregon and California grant lands", for emergency repair and reconstruction of flood damaged roads on lands administered by the Bureau of Land Management, $6,320,000, to remain available until expended: *Provided*, That this amount shall be non-reimbursable to the general fund of the Treasury.

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

For an additional amount for "Construction", $638,000, to remain available until expended.

BUREAU OF SPORT FISHERIES AND WILDLIFE

CONSTRUCTION

For an additional amount for "Construction", $11,222,000, to remain available until expended.

BUREAU OF MINES

SOLID WASTE DISPOSAL

For expenses necessary to carry out the functions of the Secretary of the Interior under the Solid Waste Disposal Act, 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, $1,400,000, to remain available until expended.

Ante, p. 997.

60 Stat. 810.

OFFICE OF SALINE WATER

CONSTRUCTION, OPERATION, AND MAINTENANCE

Not to exceed $1,407,000 of appropriations heretofore granted under this head shall continue available until June 30, 1966, for construction of the replacement demonstration plant at San Diego, California, as authorized by the Act of September 2, 1958, as amended (72 Stat. 1706).

42 USC 1958a-1958g.

OFFICE OF WATER RESOURCES RESEARCH

SALARIES AND EXPENSES

For an additional amount for carrying out the provisions of the Water Resources Research Act of 1964 (78 Stat. 329), $500,000.

42 USC 1961 note.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST PROTECTION UTILIZATION

For an additional amount for forest research, $75,000.

FOREST ROADS AND TRAILS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for "Forest roads and trails (liquidation of contract authorization)", $22,500,000, to remain available until expended.

COMMISSION ON THE STATUS OF PUERTO RICO

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses, Commission on the Status of Puerto Rico", $200,000, which, together with amounts heretofore appropriated under this head, shall remain available until June 30, 1967.

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), $750,000, to remain available until expended.

78 Stat. 982.
43 USC 1393.
60 Stat. 810.

NATIONAL CAPITAL TRANSPORTATION AGENCY

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", including expenses, not otherwise provided for, necessary to carry out the provisions of the National Capital Transportation Act of 1965, $425,000.

Ante, p. 663.

CONSTRUCTION, RAIL RAPID TRANSIT SYSTEM

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, $3,679,000, to remain available until expended: *Provided*, That, in addition, $320,551 previously appropriated to the National Capital Transportation Agency for "Land acquisition and construction" shall be merged with this appropriation.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

CONSTRUCTION OF INDIAN HEALTH FACILITIES

For an additional amount for "Construction of Indian Health Facilities", $146,000, to remain available until expended.

OFFICE OF EDUCATION

ARTS AND HUMANITIES EDUCATIONAL ACTIVITIES

Ante, p. 854.

For carrying out sections 12 and 13 of the National Foundation on the Arts and the Humanities Act of 1965, $1,000,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SALARIES AND EXPENSES

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, $5,700,000, of which $5,000,000 shall be available for carrying out sections 5(c) and 7(c) 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.

HISTORICAL AND MEMORIAL COMMISSIONS

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

Ante, p. 1126.

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), $20,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law of H.R. 9495, Eighty-ninth Congress.

CHAPTER VI

DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

FEDERAL CONTRACT COMPLIANCE PROGRAM

30 F. R. 12319.
60 Stat. 810.

For expenses necessary to carry out the functions of the Department of Labor under Executive Order 11246 of September 24, 1965, including service as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C., 55a), $444,000.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", including 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; and purchase of not to exceed thirty-five passenger motor vehicles for police-type use which may exceed by $300 each the general purchase price limitation for the current fiscal year; $2,727,000.

REVOLVING FUND FOR CERTIFICATION AND OTHER SERVICES

Fees received for services rendered by expert advisory committees, appointed in accordance with section 511 of the Federal Food, Drug, and Cosmetic Act, as amended, may be credited to the "Revolving fund for certification and other services", and shall be available for the purposes of such fund.

Ante, p. 228.

OFFICE OF EDUCATION

EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

For an additional amount for "Educational improvement for the handicapped", $4,000,000.

HIGHER EDUCATIONAL ACTIVITIES

For grants, contracts, payments, and advances under titles I, III, IV (except payments under parts C and D), V 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, $160,000,000, of which $10,000,000 shall be for grants and contracts for college and university extension education under title I of the Higher Education Act of 1965, $5,000,000 shall be for the purposes of title III, $60,000,000 shall be for programs under part A of title IV of that Act, $10,000,000 shall be for loan insurance programs under part B of title IV of that Act of which $2,500,000 for the student loan insurance fund and interest payments shall remain available until expended and $7,500,000 for advances shall remain available until June 30, 1968, $15,000,000 shall be for the purposes of title VI of the Act, and $40,000,000 shall be for grants for college work-study programs under part C of title I of the Economic Opportunity Act of 1964: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 9567, Eighty-ninth Congress, or similar legislation: *Provided*, That in administering the appropriation included in the Departments of Labor, and Health, Education, and Welfare Supplemental Appropriation Act, 1966, related to elementary and secondary educational activities, the amount authorized to be appropriated by title II of the authorizing Act shall be deemed to include amending provisions contained in section 6 of H.R. 9022, Eighty-ninth Congress.

Post, p. 1219.
Post, p. 1249.
Post, p. 1219.
Ante, p. 832.
Post, p. 1161.

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $2,935,000, of which not to exceed $100,000 shall be for the National Advisory Committee on Education of the Deaf, and not to exceed $100,000 shall be for the National Conference on Education of the Deaf: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 9567, Eighty-ninth Congress, or similar legislation.

VOCATIONAL REHABILITATION ADMINISTRATION

GRANTS TO STATES

For an additional amount for "Grants to States", including grants to public and other nonprofit agencies, institutions and organizations, $8,310,000, of which $500,000 is for grants to States for vocational rehabilitation services under section 2 of said Act; $5,000,000, which shall remain available for the periods specified in section 1(3) of said Act, is for grants for planning for the development of comprehensive

Post, p. 1282.

vocational rehabilitation programs, and for grants for planning, preparing for, and initiating special programs to expand vocational rehabilitation services, as authorized by section 4(a)(2) of said Act; $1,500,000, which shall remain available for the period specified in section 14(i) of said Act, is for grants with respect to workshops and rehabilitation facilities as authorized by section 14 of said Act; and $1,310,000 is for grants to workshops for improvement projects under section 15(b) of said Act: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 8310, Eighty-ninth Congress, or similar legislation.

Post, p. 1289.

RESEARCH AND TRAINING

For an additional amount for "Research and training", $1,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 8310, Eighty-ninth Congress, or similar legislation.

GRANTS FOR CORRECTIONAL REHABILITATION STUDY

For expenses necessary to carry out the provisions of section 12 of the Vocational Rehabilitation Act, as amended, $560,000, of which $500,000 is for grants to initiate a program of research and study in correctional rehabilitation.

Post, p. 1284; *Ante*, p. 676.

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $390,000, together with not to exceed $115,000 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: *Provided*, That the amount appropriated by this paragraph shall be effective only upon enactment into law of H.R. 8310, Eighty-ninth Congress or similar legislation.

Ante, p. 408.

PUBLIC HEALTH SERVICE

CHRONIC DISEASES AND HEALTH OF THE AGED

For an additional amount for "Chronic diseases and health of the aged", $2,835,000, of which $2,750,000 shall be available through June 30, 1968, for grants under title XVII of the Social Security Act, as amended.

77 Stat. 275. 42 USC 1391-1394.

COMMUNICABLE DISEASE ACTIVITIES

For an additional amount for "Communicable disease activities", $8,000,000 to carry out section 317 of the Public Health Service Act, to remain available through June 30, 1967.

Ante, p. 435.

COMMUNITY HEALTH PRACTICE AND RESEARCH

For an additional amount for "Community health practice and research", $24,000,000, of which $3,000,000 shall be for carrying out section 310 of the Public Health Service Act, $9,000,000 for carrying out section 314(c) of the Act with respect to home health service programs, $1,000,000 for carrying out section 314(c) of the Act with respect to grants to schools of public health, and $11,000,000 for carrying out parts C, E, and F of title VII of the Act and of which $200,000 shall be available for scholarship grants to eligible schools for award to first-year students in the current academic year only; together with $2,100,000 to be transferred, as authorized by section 201(g)(1) of the

Ante, p. 436.

77 Stat. 170. 42 USC 294-294e.

Ante, p. 1052.

Social Security Act, 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: *Provided*, That the sums appropriated for carrying out parts C, E, and F of title VII of the Public Health Service Act shall be available only upon enactment of H.R. 3141, Eighty-ninth Congress, or similar legislation.

Ante, p. 338.
Ante, p. 291.
77 Stat. 170.
42 USC 294-294e.
Ante, p. 1052.

Grants and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, grants and payments under part F of title VII of the Public Health Service Act for 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.

AIR POLLUTION

For an additional amount for "Air pollution", $625,000, of which $470,000 is for carrying out the Motor Vehicle Air Pollution Control Act.

Ante, p. 992.

ENVIRONMENTAL ENGINEERING AND SANITATION

For an additional amount for "Environmental engineering and sanitation", for carrying out the functions of the Secretary of Health, Education, and Welfare under the Solid Waste Disposal Act, $4,000,000.

Ante, p. 997.

WATER SUPPLY AND WATER POLLUTION CONTROL

For an additional amount for "Water supply and water pollution control", $628,000.

GRANTS FOR WASTE TREATMENT WORKS CONSTRUCTION

For an additional amount for "Grants for waste treatment works construction", $50,000,000, to remain available until December 31, 1966, and of which $30,000,000 shall be for grants for construction of sewage treatment works in accordance with the allotment formula set forth in the third sentence of section 8(c) of the Federal Water Pollution Control Act, as amended, and $20,000,000 shall be for grants and contracts pursuant to section 6 of such Act to demonstrate new and improved methods of controlling the discharge into water of sewage or other wastes from sewers.

Ante, p. 906.
Ante, p. 905.

FOREIGN QUARANTINE ACTIVITIES

For an additional amount for "Foreign quarantine activities", $125,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For an additional amount for "National Institute of Mental Health", $20,200,000, of which $19,500,000 shall be to carry out the provisions of part B of title II of the Mental Retardation Facilities and Community Mental Health Centers Construction Act, and $500,000 shall be to carry out the provisions of section 231 of the Social Security Amendments of 1965.

Ante, p. 428.
Ante, p. 360.

REGIONAL MEDICAL PROGRAMS

To carry out title IX of the Public Health Service Act, $25,000,000, of which $24,000,000 shall remain available until December 31, 1966, for grants pursuant to such title.

Ante, p. 926.

SOCIAL SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Limitation on salaries and expenses, Social Security Administration", $125,212,000, 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: *Provided*, That $15,000,000 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.

Ante, p. 338.

Ante, p. 291.

LIMITATION ON CONSTRUCTION

For an additional amount for "Limitation on construction", $3,188,000, 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.

WELFARE ADMINISTRATION

GRANTS TO STATES FOR PUBLIC ASSISTANCE

For an additional amount for "Grants to States for public assistance", $222,000,000: *Provided*, That this amount and the amount appropriated under this heading in the Department of Health, Education, and Welfare Appropriation Act, 1966, shall be available for grants to States for medical assistance, as authorized in title XIX of the Social Security Act, as amended.

Ante, p. 604.

Ante, p. 343.

The appropriation and authorization in the paragraph designated "Grants to States, next succeeding fiscal year", and in the succeeding paragraph, under this heading in the Department of Health, Education, and Welfare Appropriation Act, 1966, shall also be available for carrying out title XIX of the Social Security Act, as amended.

ASSISTANCE FOR REPATRIATED UNITED STATES NATIONALS

For an additional amount for "Assistance for repatriated United States nationals", $120,000, 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.

BUREAU OF FAMILY SERVICES, SALARIES AND EXPENSES

For an additional amount for "Bureau of Family Services, salaries and expenses", $867,000.

GRANTS FOR MATERNAL AND CHILD WELFARE

For an additional amount for "Grants for maternal and child welfare", $25,000,000, of which $5,000,000 shall be available for maternal and child health services, $5,000,000 for services for crippled children, and $15,000,000 for special project grants under section 532 of the Social Security Act, as amended, for comprehensive health care and services for school age and preschool age children.

77 Stat. 274.
42 USC 729a.

CHILDREN'S BUREAU, SALARIES AND EXPENSES

For an additional amount for "Children's Bureau, salaries and expenses", $346,000.

OFFICE OF THE COMMISSIONER, SALARIES AND EXPENSES

For an additional amount for "Office of the Commissioner, salaries and expenses", $117,000.

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $219,000.

OFFICE OF FIELD ADMINISTRATION, SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses, Office of Field Administration", $252,000, to be transferred and 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. *Ante*, p. 338.

OFFICE OF THE GENERAL COUNSEL, SALARIES AND EXPENSES

For an additional amount for "Office of the General Counsel, salaries and expenses", $71,000, together with not to exceed $236,000 to be transferred and 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.

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, $1,500,000,000, plus reimbursements, including not more than $10,000,000 to carry out the purposes of section 205(d) of Title II, in the discretion of the Director, and not more than $1,000,000 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 until expended: *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 $5,000,000 of this appropriation shall be transferred to "Community health practice and research" to carry out the program for selective service medical

78 Stat. 508. 42 USC 2701 note. *Ante*, p. 975.

rejectees financed by the Office of Economic Opportunity in fiscal year 1965: *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.

Access to records.

CHAPTER VII

LEGISLATIVE BRANCH

SENATE

Expense allowances of the Vice President, and Majority and Minority Leaders

For an additional amount for expense allowances of the Majority and Minority Leaders, $1,000 each; in all, $2,000.

SALARIES, OFFICERS AND EMPLOYEES

Office of the Vice President

For an additional amount for clerical assistance to the Vice President, $30,750.

CONTINGENT EXPENSES OF THE SENATE

Miscellaneous Items

For an additional amount for "Miscellaneous items", $225,000.

For an additional amount for "Miscellaneous items", fiscal year 1965, $200,000, to be derived by transfer from the appropriation "Salaries, officers and employees, Senate", fiscal year 1965.

HOUSE OF REPRESENTATIVES

For payment to Clarence J. Brown, Jr., Dorothy Brown Haines, and Betty Brown Dearing, children of Clarence J. Brown, late a Representative from the State of Ohio, $30,000, one-third to each.

For payment to Leatrice S. Thompson, widow of T. A. Thompson, late a Representative from the State of Louisiana, $30,000.

SALARIES, OFFICERS AND EMPLOYEES

For an additional amount for "Minority employees", $5,200.

CONTINGENT EXPENSES OF THE HOUSE

Miscellaneous Items

For an additional amount for "Miscellaneous items", $3,130,440, of which such amount as may be necessary may be transferred to the appropriation under this heading for the fiscal year 1965, and of which such amounts as may be necessary during the current fiscal year on account of the longevity provisions of the House Employees Position Classification Act (Public Law 88-652) may be transferred to other applicable appropriations for such year.

78 Stat. 1079.
2 USC 291 note.

Telegraph and Telephone

For an additional amount for "Telegraph and telephone", $480,000.

JOINT ITEMS

CAPITOL POLICE

Capitol Police Board

Individual officers and members of the Metropolitan Police who assisted the Capitol Police Board on August 9, 1965, are authorized to receive overtime pay at basic salary rates for services performed in excess of regular tours of duty at the request of the Board, and the Metropolitan Police Department shall be reimbursed for such payments by the Capitol Police Board from funds available for such purposes.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

Extension of the Capitol

For an additional amount for "Extension of the Capitol", $300,000, to remain available until expended.

Senate Office Buildings

For an additional amount for "Senate Office Buildings", $405,000, to remain available until expended.

The paragraph contained in the Legislative Branch Appropriation Act, 1960 (73 Stat. 407) which reads "Hereafter, the Architect of the Capitol is authorized, without regard to the Classification Act of 1949, as amended, to fix the compensation of one position under the appropriation 'Senate Office Buildings' at a basic rate of $7,020 per annum" is hereby amended by striking out the amount $7,020 and inserting in lieu thereof the amount $7,700. 40 USC 166b-3.

LIBRARY BUILDINGS AND GROUNDS

Library of Congress James Madison Memorial Building

To enable the Architect of the Capitol to provide for the construction and equipment of the Library of Congress James Madison Memorial Building in Square 732 in the District of Columbia, authorized by S. J. Res. 69, 89th Congress, $500,000, to remain available until expended, and to be expended by the Architect of the Capitol in accordance with the provisions of said Joint Resolution: *Provided*, That the availability of this appropriation is contingent upon enactment into law of said S. J. Res. 69. *Ante*, p. 987.

INDEPENDENT OFFICES

JAMES MADISON MEMORIAL COMMISSION

For an additional amount for the "James Madison Memorial Commission", authorized by S. J. Res. 69, 89th Congress, $10,000, to remain available until expended: *Provided*, That the availability of this appropriation is contingent upon enactment into law of S. J. Res. 69, 89th Congress.

CHAPTER VIII

PUBLIC WORKS

DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS

DEPARTMENT OF THE ARMY

RIVERS AND HARBORS AND FLOOD CONTROL

General Investigations

For an additional amount for "General investigations", $30,000.

Construction, General

For an additional amount for "Construction, general", $900,000: *Provided*, That this appropriation shall be available only upon enactment of S. 2300, Eighty-ninth Congress, or similar legislation.

Ante, p. 1073.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

CONSTRUCTION AND REHABILITATION

For an additional amount for "Construction and rehabilitation", $500,000, to remain available until expended.

WATER RESOURCES PLANNING

SALARIES AND EXPENSES, WATER RESOURCES COUNCIL

For expenses necessary in carrying out the provisions of title I 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, $200,000.

Ante, p. 244.
60 Stat. 810.

RIVER BASIN COMMISSIONS

For expenses of the Federal members of such river basin commissions as may be established under title II of the Water Resources Planning Act of 1965 (Public Law 89-80, approved July 22, 1965), and not to exceed $90,000 for Federal contributions to river basin commissions, as authorized by title II of that Act, $110,000.

Ante, p. 246.

CHAPTER IX

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $500,000.

INTERNATIONAL COMMISSIONS

FACILITIES FOR INTERNATIONAL PACIFIC HALIBUT COMMISSION

For provision of office and other facilities necessary for carrying out the Northern Pacific Halibut Act, as amended, $500,000, to remain available until expended. *Ante*, p. 902.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

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, and for technical assistance and departmental salaries and other expenses in connection therewith, $7,249,000.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and facilities", $1,756,000.

SUPPORT OF UNITED STATES PRISONERS

For an additional amount, fiscal year 1965, for "Support of United States Prisoners", $180,000, to be derived by transfer from "Salaries and expenses, General legal activities", fiscal year 1965.

DEPARTMENT OF COMMERCE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $50,000.

BUREAU OF THE CENSUS

REGISTRATION AND VOTING STATISTICS

For expenses necessary for the collection, compilation, and publication of statistics on registration and voting, in such geographic areas as may be recommended by the Commission on Civil Rights, as authorized by section 801 of the Civil Rights Act of 1964 (78 Stat. 266); 42 USC 2000f.
and for collection and compilation of data required to enable the Director of the Census to make the determinations required by section 4(b) of the Voting Rights Act of 1965, $3,750,000. *Ante*, p. 438.

COAST AND GEODETIC SURVEY

CONSTRUCTION OF SURVEYING SHIPS

For an additional amount for "Construction of surveying ships," $1,687,000, to remain available until expended.

ECONOMIC DEVELOPMENT ADMINISTRATION

DEVELOPMENT FACILITIES GRANTS

For grants as authorized by title I of the Public Works and Economic Development Act of 1965, $203,200,000, of which not to exceed $3,200,000 shall be for administrative expenses.

Ante, p. 552.

TECHNICAL AND COMMUNITY ASSISTANCE

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, $18,125,000, of which not to exceed $5,100,000 shall be for administrative expenses.

ECONOMIC DEVELOPMENT

For the purpose of extending financial assistance under sections 201 and 202 of the Public Works and Economic Development Act of 1965, $105,000,000, of which not to exceed $3,200,000 shall be available for administrative expenses and of said administrative expenses not less than $1,600,000 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.

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, $6,100,000, of which not to exceed $500,000 shall be available for administrative expenses.

OFFICE OF STATE TECHNICAL SERVICES

GRANTS AND EXPENSES

For grants and expenses as authorized by the State Technical Services Act of 1965, $3,500,000.

Ante, p. 679.

TRANSPORTATION RESEARCH

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, $18,250,000, to remain available until expended.

HEMISFAIR 1968 EXPOSITION

For expenses necessary for planning the extent of participation by the United States in HemisFair 1968, as authorized by law, $125,000: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 9247, Eighty-ninth Congress, or similar legislation.

Ante, p. 1026.

BUREAU OF PUBLIC ROADS

CONTROL OF OUTDOOR ADVERTISING AND JUNKYARDS

For control of outdoor advertising and junkyards, as authorized by the Highway Beautification Act of 1965, including payments to the States, $10,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2084, Eighty-ninth Congress, or similar legislation.

Ante, p. 1028.

LANDSCAPING AND SCENIC ENHANCEMENT

For carrying out the provisions of title 23, United States Code, section 319, as amended by the Highway Beautification Act of 1965, $60,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2084, Eighty-ninth Congress, or similar legislation.

Ante, p. 1032.

ADMINISTRATION EXPENSES, HIGHWAY BEAUTIFICATION

For necessary administrative expenses for carrying out the provisions of the Highway Beautification Act of 1965, $750,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2084, Eighty-ninth Congress, or similar legislation.

HIGHWAY SAFETY

For necessary expenses for carrying out the provisions of title 23, United States Code, section 135, $290,000: *Provided*, That this paragraph shall be effective only upon enactment into law of S. 2084, Eighty-ninth Congress, or similar legislation.

Ante, p. 578.

RELATED AGENCIES

PRESIDENT'S COMMISSIONS ON LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE AND ON CRIME IN THE DISTRICT OF COLUMBIA

SALARIES AND EXPENSES

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), $900,000.

Ante, p. 828.
60 Stat. 810.

SMALL BUSINESS ADMINISTRATION

REVOLVING FUND

For additional capital for the revolving fund authorized by the Small Business Act of 1953, as amended, to be available without fiscal year limitation, $76,000,000.

Post, p. 1294.

REVOLVING FUND

For additional capital for the revolving fund authorized by the Small Business Act of 1953, as amended, to be available without fiscal year limitation, $84,000,000: *Provided*, That this paragraph shall be effective only upon enactment into law of authorizing legislation.

SOUTHEAST HURRICANE DISASTER

Post, p. 1301.

For expenses necessary to enable the President to carry out the provisions of the Southeast Hurricane Disaster Relief Act of 1965, such amount as may be necessary but not to exceed $35,000,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law of authorizing legislation.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $3,000,000.

ACQUISITION AND CONSTRUCTION OF RADIO FACILITIES

For an additional amount for "Acquisition and construction of radio facilities", $9,604,000, to remain available until expended.

CHAPTER X

TREASURY DEPARTMENT

BUREAU OF THE MINT

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $13,000,000.

CONSTRUCTION OF MINT FACILITIES

For an additional amount for "Construction of mint facilities", $21,300,000, to remain available until expended.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For an additional amount for "Administering the public debt", $1,000,000.

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 64, House Document numbered 283, Eighty-ninth Congress, and final judgment of the Indian Claims Commission in Docket Numbers 329-A and 329-B, $26,508,212, 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.

CHAPTER XII

GENERAL PROVISIONS

SEC. 1201. 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. 1202. The appropriations, authorizations, and authority with respect thereto in this Act shall be available from July 1, 1965, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1965, and the date of enactment of this Act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof, and the terms of of Public Law 89-58, Eighty-ninth Congress, as amended.

Ante, p. 204.

Approved October 31, 1965.

Public Law 89-310

October 31, 1965
[H. R. 11096]

AN ACT

To authorize the disposal of graphite, quartz crystals, and lump steatite talc from the national stockpile or the supplemental stockpile, or both.

Graphite, etc. 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: (1) approximately sixteen thousand five hundred and eighty-six short tons of Malagasy crystalline graphite and two thousand and nine short tons of crystalline graphite produced in countries other than Ceylon and Malagasy, 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)); (2) approximately four million three hundred and eighty-eight thousand five hundred and twenty-two pounds of stockpile grade quartz crystals and four hundred and sixty-seven thousand eight hundred and sixteen pounds of nonstockpile grade quartz crystals, now held in said national and supplemental stockpiles, and (3) approximately one thousand and forty-nine short tons of lump steatite talc now held in said national stockpile. Such dispositions 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 October 31, 1965.

Public Law 89-311

October 31, 1965
[H. R. 168]

AN ACT

To amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes.

Veterans.
Disability compensation, increase.
72 Stat. 1120; 76 Stat. 441.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 314 of title 38, United States Code, is amended—

(1) by striking out "$20" in subsection (a) and inserting in lieu thereof "$21";

(2) by striking out "$38" in subsection (b) and inserting in lieu thereof "$40";

(3) by striking out "$58" in subsection (c) and inserting in lieu thereof "$60";

(4) by striking out "$77" in subsection (d) and inserting in lieu thereof "$82";

(5) by striking out "$107" in subsection (e) and inserting in lieu thereof "$113";

(6) by striking out "$128" in subsection (f) and inserting in lieu thereof "$136";

(7) by striking out "$149" in subsection (g) and inserting in lieu thereof "$161";

(8) by striking out "$170" in subsection (h) and inserting in lieu thereof "$186";

(9) by striking out "$191" in subsection (i) and inserting in lieu thereof "$209";

(10) by striking out "$250" in subsection (j) and inserting in lieu thereof "$300";

(11) by striking out "$525" in subsections (k) and (o) and inserting in lieu thereof "$600";

(12) by striking out "$340" in subsection (l) and inserting in lieu thereof "$400";

(13) by striking out "$390" in subsection (m) and inserting in lieu thereof "$450";

(14) by striking out "$440" in subsection (n) and inserting in lieu thereof "$525";

72 Stat. 936.

(15) by striking out "$200" in subsection (r) and inserting in lieu thereof "$250"; and

74 Stat. 528; 76 Stat. 441.

(16) by striking out "$290" in subsection (s) and inserting in lieu thereof "$350".

Rate adjustments.

(b) The Administrator of Veterans' Affairs may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

72 Stat. 1263.
38 USC prec. 101 note.
38 USC 301-360.
Ante, p. 576.
Additional compensation for dependents.

SEC. 2. (a) Section 315(1) of title 38, United States Code, is amended—

(1) by striking out "$23" in subparagraph (A) and inserting in lieu thereof "$25";

(2) by striking out "$39" in subparagraph (B) and inserting in lieu thereof "$43";

(3) by striking out "$50" in subparagraph (C) and inserting in lieu thereof "$55";

(4) by striking out "$62" and "$12" in subparagraph (D) and inserting in lieu thereof "$68" and "$13", respectively; 72 Stat. 1121; 74 Stat. 165. 38 USC 315.

(5) by striking out "$15" in subparagraph (E) and inserting in lieu thereof "$17";

(6) by striking out "$27" in subparagraph (F) and inserting in lieu thereof "$30";

(7) by striking out "$39" and "$12" in subparagraph (G) and inserting in lieu thereof "$43" and "$13", respectively; and

(8) by striking out "$19" in subparagraph (H) and inserting in lieu thereof "$21".

(b) Such section 315(1) is further amended by (1) striking out "and" at the end of subparagraph (G), (2) striking out the period at the end of subparagraph (H) and inserting in lieu thereof "; and", and (3) adding at the end thereof the following:

"(I) notwithstanding the other provisions of this subsection, the monthly amount payable on account of each child who has attained the age of eighteen years and who is pursuing a course of instruction at an approved educational institution shall be $40 for a totally disabled veteran and proportionate amounts for partially disabled veterans in accordance with paragraph (2) of this subsection."

(c)(1) Section 101(4)(C) of title 38, United States Code, is amended by striking out "twenty-one years" and inserting in lieu thereof "twenty-three years". "Child," definition. 72 Stat. 1106.

(2) Section 414(c) of title 38, United States Code, is amended by striking out "twenty-one" and inserting in lieu thereof "twenty-three".

SEC. 3. (a) Section 360 of title 38, United States Code, is amended (1) by inserting immediately before the words "the Administrator" the following: "or (3) has suffered total deafness in one ear as a result of service-connected disability and has suffered total deafness in the other ear as the result of non-service-connected disability not the result of his own willful misconduct," and (2) by inserting immediately after the words "kidney involvement" the following: "or such total deafness in both ears". Bilateral deafness, compensation. 76 Stat. 406.

(b) Such section 360 is further amended by adding the following at the end of the catch line: "**or bilateral deafness**".

(c) The analysis of chapter 11 of such title 38 regarding section 360 is amended by inserting immediately before the period at the end thereof: "or bilateral deafness".

(d) Section 314(o) of title 38, United States Code, is amended by deleting the words "has suffered total deafness" and substituting in lieu thereof the words "if the veteran has suffered bilateral deafness (and the hearing impairment in either one or both ears is service connected) rated at 60 per centum or more disabling and the veteran has also suffered service-connected total blindness with 5/200 visual acuity or less,". 72 Stat. 1121.

(e) Section 314(p) of title 38, United States Code, is amended by deleting "$525; and" and substituting therefor the following: "$600. In the event the veteran has suffered service-connected blindness with 5/200 visual acuity or less and (1) has also suffered bilateral deafness (and the hearing impairment in either one or both ears is service connected) rated at no less than 40 per centum disabling, the Adminis-

trator shall allow the next higher rate, or (2) has also suffered service-connected total deafness in one ear, the Administrator shall allow the next intermediate rate, but in no event in excess of $600;".

Medal of Honor Roll.
77 Stat. 95; 78 Stat. 1078.
72 Stat. 1110.

SEC. 4. Section 560(b) of title 38, United States Code, is amended by striking out ", who has attained the age of forty years,".

SEC. 5. Section 106 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(e) Each person who has incurred a disability as a result of an injury or disease described in subsection (b) shall be entitled to the same rights, privileges, and benefits under the Act of June 27, 1944 (58 Stat. 387-391), as a person described in section 2(1) of such Act."

5 USC 851 and note.

SEC. 6. (a) Chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following new section:

38 USC 4101 et seq.

"§ 4116. Defense of certain malpractice and negligence suits

63 Stat. 62.

"(a) The remedy by suit against the United States as provided by section 1346(b) 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.

"(b) The Attorney General shall defend any civil action or proceeding brought in any court against any person referred to in subsection (a) of this section (or his estate) for any such damage or injury. Any such person against whom such civil action or proceeding is brought shall deliver within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon him or an attested true copy thereof to his immediate superior or to whomever was designated by the Administrator to receive such papers and such person shall promptly furnish copies of the pleading and process therein to the United States attorney for the district embracing the place wherein the proceeding is brought, to the Attorney General, and to the Administrator.

"(c) Upon a certification by the Attorney General that the defendant was acting in the scope of his employment in or for the Department of Medicine and Surgery at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States of the district and division embracing the place wherein it is pending and the proceeding deemed a tort action brought against the United States under the provisions of title 28 and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merit that the case so removed is one in which a remedy by suit within the meaning of subsection (a) of this section is not available against the United States, the case shall be remanded to the State court.

62 Stat. 869.

"(d) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677 of title 28, and with the same effect."

(b) The analysis of chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following:

"4116. Defense of certain malpractice and negligence suits."

(c) The amendments made by this section shall take effect on the first day of the first calendar month which begins more than one hundred and eighty days after the date of enactment of this Act, but, in the case of an act or omission which occurred before such effective date, such amendments shall apply only if no suit or civil action has been commenced before such effective date with respect to such act or omission.

Effective date.

SEC. 7. (a) Subsection (c) of section 5033 and paragraph (3) of section 5035(b) of title 38, United States Code, are hereby repealed; and paragraphs (4) and (5) of section 5035(b) of such title are hereby redesignated as paragraphs (3) and (4), respectively.

Nursing home care. Repeals. 78 Stat. 501.

(b) Section 5034(1) of such title is amended by striking out "one-half bed" and inserting in lieu thereof "one and one-half beds".

SEC. 8. (a) Section 5001(a) of title 38, United States Code, is amended by redesignating paragraph (2) thereof as paragraph (3) and by inserting immediately after paragraph (1) thereof the following:

72 Stat. 1251; 78 Stat. 500.

"(2) The Administrator, subject to the approval of the President, is authorized to establish and operate not less than one hundred and twenty-five thousand hospital beds in facilities over which the Administrator has direct and exclusive jurisdiction for the care and treatment of eligible veterans who are tuberculosis, neuropsychiatric, medical, and surgical cases."

(b) Paragraph (3) of such section (as redesignated by subsection (a) of this section) is amended by adding at the end thereof the following new sentence: "The nursing beds authorized by this paragraph shall be in addition to the hospital beds provided for in paragraph (2) of this subsection."

SEC. 9. The amendments made by the first section and sections 2, 3, and 4 of this Act shall take effect on the first day of the second calendar month following the date of enactment of this Act.

Effective date.

Approved October 31, 1965, 7:29 p.m.

Public Law 89-312

November 1, 1965
[H. R. 10369]

AN ACT

To give the consent of Congress to the States of Connecticut, Rhode Island, and Vermont to become parties to title II of the Compact on Taxation of Motor Fuels Consumed by Interstate Buses and the Agreement relating to Bus Taxation Proration and Reciprocity.

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 States of Connecticut, Rhode Island, and Vermont to become parties to title II of the Compact on Taxation of Motor Fuels Consumed by Interstate Buses and to the Agreement relating to Bus Taxation Proration and Reciprocity as consented to by the Congress in the Act of April 14, 1965 (79 Stat. 60).

Conn.-R.I.-Vt. Bus taxation compact.

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Approved November 1, 1965.

Public Law 89-313

November 1, 1965
[H. R. 9022]

AN ACT

To amend Public Laws 815 and 874, Eighty-first Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; 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 of September 23, 1950 (Public Law 815, Eighty-first Congress), as amended (20 U.S.C. 631–645), is amended by inserting, immediately after the last section of that Act, the following new section:

72 Stat. 548.

"SCHOOL CONSTRUCTION ASSISTANCE IN MAJOR DISASTER AREAS

"SEC. 16. (a) If the Director of the Office of Emergency Planning determines with respect to any local educational agency that—

"(1)(A) such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1967, has suffered a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government, and

64 Stat. 1109.

"(B) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe,

and if the Commissioner determines with respect to such local educational agency that—

"(2) public elementary or secondary school facilities of such agency have been destroyed or seriously damaged as a result of this major disaster;

"(3) such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance available for the replacement or restoration of such school facilities;

"(4) such agency does not have sufficient funds available to it from State, local, and other Federal sources (including funds available under other provisions of this Act), and from the proceeds of insurance on such school facilities, to provide the minimum school facilities needed for the restoration or replacement of the school facilities so destroyed or seriously damaged; and

"(5) to the extent that the operation of private elementary and secondary schools in the school attendance area of the local educational agency has been disrupted or impaired by such disaster, such local educational agency has complied with the provisions of section 7(a)(3) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), with respect to provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate,

Post, p. 1160.

the Commissioner may provide the additional assistance necessary to enable such agency to provide such 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 from State, local, and other Federal sources (including funds available under other provisions of this Act, and from the proceeds of insurance, may not exceed the cost of construction incident to the restoration or replacement of the school facilities destroyed or damaged as a result of the disaster. In any case deemed appropriate by the Commissioner such assistance may be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest.

"(b) 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. Pending such appropriation, the Commissioner may expend (without regard to subsections (a) and (e) of section 3679 of the Revised Statutes (31 U.S.C. 665)) from any funds heretofore or hereafter appropriated for expenditure in accordance with other sections of this Act such sums as may be necessary for immediately providing assistance under this section, such appropriations to be reimbursed from the appropriations authorized by this subsection when made. Appropriation.

"(c) No payment may be made to any local educational agency under subsection (a) except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Commissioner in accordance with regulations prescribed by him, and which meets the requirements of section 6(b)(1). In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the local educational agencies which have submitted approvable applications. No payment may be made under subsection (a) unless the Commissioner finds, after consultation with the State and local educational agencies, that the project or projects with respect to which it is made are not inconsistent with overall State plans for the construction of school facilities. All determinations made by the Commissioner under this section shall be made only after consultation with the appropriate State educational agency and the local educational agency. Application requirements. 72 Stat. 551. 20 USC 636.

"(d) Amounts paid by the Commissioner to local educational agencies under subsection (a) may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States.

"(e) None of the provisions of sections 1 to 10, both inclusive, other than section 6(b)(1), shall apply with respect to this section." 20 USC 631-640.

SEC. 2. The Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended by inserting, immediately after section 6 of that Act, the following new section: *Ante*, p. 35.

"ASSISTANCE FOR CURRENT SCHOOL EXPENDITURES IN MAJOR DISASTER AREAS

"SEC. 7. (a) If the Director of the Office of Emergency Planning determines with respect to any local educational agency that—

"(1)(A) such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1967, has suffered a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens 64 Stat. 1109.

to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government, and

"(B) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe,

and if the Commissioner determines with respect to such local educational agency that—

"(2) such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance, but as a result of such major disaster it is unable to secure sufficient funds to meet the cost of providing free public education for the children attending the schools of such agency, and

"(3) to the extent that the operation of private elementary and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by such disaster, such local educational agency has made provision for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate: *Provided*, That nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction,

the Commissioner may provide to such agency the additional assistance necessary to provide free public education to the children attending the schools of such agency, 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. Such additional assistance may be provided for a period not greater than a five fiscal year period beginning with the fiscal year in which the President has determined that such area suffered a major disaster. The amount so provided for any fiscal year shall not exceed the amount which the Commissioner determines to be necessary to enable such agency, with the State, local, and other Federal funds available to it for such purpose, to provide a level of education equivalent to that maintained in the schools of such agency during the last full fiscal year prior to the occurrence of such major disaster, taking into account the additional costs reasonably necessary to carry out the provisions of subparagraph (3) of this section. The amount, if any, so provided for the second, third, and fourth fiscal years following the fiscal year in which the President determined that such area has suffered a major disaster shall not exceed 75 per centum, 50 per centum, and 25 per centum, respectively, of the amount so provided for the first fiscal year following such determination.

Replacement of supplies, etc.

"(b) In addition to and apart from the funds provided under subsection (a), the Commissioner is authorized to provide to such agency an amount which he determines to be necessary to replace instructional and maintenance supplies, equipment, and materials (including textbooks) destroyed or seriously damaged as a result of such major disaster, and to lease or otherwise provide (other than by acquisition of land or erection of facilities) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of the major disaster.

Appropriation.

"(c) There is hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section. Pending such appropriation, the Commissioner may expend (without regard to subsections (a) and (e) of section 3679 of

the Revised Statutes (31 U.S.C. 665)) from any funds heretofore or hereafter appropriated for expenditure in accordance with other sections of this Act, such sums as may be necessary for immediately providing assistance under this section, such appropriations to be reimbursed from the appropriations authorized by this subsection when made.

Application requirements.

"(d) No payment may be made to any local educational agency under this section except upon application therefor which is submitted through the appropriate State educational agency 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 local educational agencies which have submitted approvable applications.

"(e) Amounts paid by the Commissioner to local educational agencies under this section may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States."

SEC. 3. The Act of September 23, 1950 (Public Law 815, Eighty-first Congress), as amended, is amended by inserting immediately after the last section of that Act the following new section:

Ante, p. 1158.

"SPECIAL BASE CLOSING PROVISION

"SEC. 17. In determining the payment to be made to a local educational agency under this Act the Commissioner shall disregard the announcement, made November 19, 1964, of a decrease in or cessation of Federal activities in certain areas, and shall carry out such Act as if such announcement had not been made."

SEC. 4. (a) Section 3(c) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "and paragraph (3)" in the second sentence of paragraph (2), by striking out paragraph (3) thereof, and by striking out ", (3)," where it appears in paragraph (5).

70 Stat. 970.
20 USC 238.

(b) The amendment made by this section shall be effective on and after July 1, 1965.

Effective date.

SEC. 5. Subsection (e) of section 5 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by inserting after "waive or reduce" the following: "the minimum number requirement or".

72 Stat. 550.
20 USC 635.

SEC. 6. (a) Section 203(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended by inserting immediately after paragraph (4) the following new paragraph:

Ante, p. 28.

"(5) In the case of a State agency which is directly responsible for providing, on a non-school-district basis, 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), the maximum basic 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 handicapped 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 acqui-

Education of handicapped children, grants.

sition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of such children."

Ante, p. 31.

(b) Section 206(a)(1) of such Act is amended by striking out "which meet the requirements of that section" and by inserting in lieu thereof "which meet the applicable requirements of that section and of section 203(a)(5)".

Ante, p. 1161.

Ante, p. 35.

(c) Section 303(6) of such Act is amended by adding before the period at the end of the second sentence thereof ", and for purposes of title II (except sections 203(a)(2), 203(b), and 205(a)(1)) such term includes any State agency which is directly responsible for providing, on a non-school-district basis, 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)".

Ante, p. 27.

SEC. 7. (a) Subsection (b) of section 207 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended to read as follows:

Ante, p. 32.

"(b) The Commissioner is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this title (including technical assistance for the measurements and evaluations required by section 205(a)(5)), except that the total of such payments in any fiscal year shall not exceed—

Ante, p. 31.

Limitation.

"(1) one per centum of the total of the amount of the basic grants paid under this title for that year to the local educational agencies of the State, or

"(2) $75,000, or $25,000 in the case of Puerto Rico, Wake Island, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands,

whichever is the greater."

Effective date.

(b) The amendment made by this section shall be effective for fiscal years beginning after June 30, 1965.

Approved November 1, 1965.

Public Law 89-314

November 1, 1965
[H. R. 11303]

AN ACT

To amend section 18 of the Civil Service Retirement Act, as amended.

Civil service retirement annuities, increase.
Extension.
Ante, p. 840.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 18 of the Civil Service Retirement Act, as amended (5 U.S.C. 2268), is further amended by adding the following new subsection (f):

"(f) Each annuity payable from the civil service retirement and disability fund (other than the immediate annuity of an annuitant's survivor or of a child entitled under section 10(d)) which has a commencing date after December 1, 1965, but not later than December 31, 1965, shall be increased from its commencing date as if the annuity commencing date were December 1, 1965."

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 November 1, 1965.

Public Law 89-315

AN ACT

November 1, 1965
[H. R. 11420]

To amend title 39, United States Code, to provide certain mailing privileges with respect to members of the United States Armed Forces, 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 57 of title 39, United States Code, is amended by adding at the end thereof the following section:

Armed Forces. Mailing privileges.
74 Stat. 660.
39 USC 4151 *et seq.*

"§ 4169. Mailing privilege of members of United States Armed Forces and of friendly foreign nations

"(a) First-class letter mail, including postal cards and post cards, shall be carried as airmail, at no cost to the sender, when mailed by—

"(1) a member of the Armed Forces of the United States on active duty as defined in sections 101(4) and 101(22) of title 10, United States Code, and addressed to a place within the delivery limits of a United States post office, if— 70A Stat. 3.

"(A) the letter is mailed by the member at an Armed Forces post office established under section 705(d) of this title in an overseas area, as designated by the President, where the Armed Forces of the United States are engaged in action against an enemy of the United States, engaged in military operations involving armed conflict with a hostile foreign force, or serving with a friendly foreign force in an armed conflict in which the United States is not a belligerent; or 77 Stat. 462.

"(B) the member is hospitalized in a facility under the jurisdiction of the Armed Forces of the United States as a result of disease or injury incurred as a result of service in an overseas area designated by the President under clause (A); or

"(2) a member of an armed force of a friendly foreign nation at an Armed Forces post office and addressed to a place within the delivery limits of a United States post office, or a post office of the nation in whose armed forces the sender is a member, if—

"(A) the member is accorded free mailing privileges by his own government;

"(B) the foreign nation extends similar free mailing privileges to a member of the Armed Forces of the United States serving with, or in, a unit under the control of a command of that foreign nation;

"(C) the member is serving with, or in, a unit under the operational control of a command of the Armed Forces of the United States;

"(D) The letter is mailed by the member—

"(i) at an Armed Forces post office established under section 705(d) of this title in an overseas area, as designated by the President, where the Armed Forces of the United States are engaged in action against an enemy of the United States, engaged in military operations involving armed conflict with a hostile foreign force, or serving with a friendly foreign force in an armed conflict in which the United States is not a belligerent; or

"(ii) while hospitalized in a facility under the jurisdiction of the Armed Forces of the United States as a

result of disease or injury incurred as a result of services in an overseas area designated by the President under clause (D) (i); and

"(E) the nation in whose armed forces the sender is a member has agreed to assume all international postal transportation charges incurred.

Transfer of funds.

"(b) The Department of Defense shall transfer to the Post Office Department as postal revenue, 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, the equivalent amount of postage due, as determined by the Postmaster General, for matter sent in the mails under authority of subsection (a) of this section.

"(c) Subsections (a) and (b) of this section shall be administered under such conditions, and under such regulations, as the Postmaster General and the Secretary of Defense jointly may prescribe."

(b) The table of contents of chapter 57 of title 39, United States Code, is amended by adding

"4169. Mailing privilege of members of United States Armed Forces and of friendly foreign nations."

immediately below

"4168. Correspondence of members of diplomatic corps and consuls of countries of Postal Union of Americas and Spain."

74 Stat. 665.

SEC. 2. Section 4303(d) of title 39, United States Code, is amended by striking out paragraph (3) and inserting in lieu thereof the following:

"(3) In addition to parcels to which it is otherwise applicable, the eighth zone includes, for purposes of this section only, except as provided by paragraph (4) of this subsection, parcels transported between the United States, its territories and possessions or the Commonwealth of Puerto Rico, and the Canal Zone.

"(4) The rates of postage on air parcel post transported between the United States, its territories and possessions or the Commonwealth of Puerto Rico, and the Canal Zone, and Army, Air Force, and Fleet post offices, shall be the applicable zone rates shown in paragraph (1) of this subsection for mail between the place of mailing or delivery within the United States, its territories or possessions or the Commonwealth of Puerto Rico, and the Canal Zone, and the city of the postmaster serving the Army, Air Force, or Fleet post office concerned.

"(5) Fourth-class parcels not exceeding five pounds in weight and sixty inches in length and girth combined mailed by or addressed to members of the Armed Forces of the United States at or in care of Army, Air Force, and Fleet post offices in overseas combat areas, as designated by the President, shall be transported by air between the point of embarkation and the overseas Army, Air Force, or Fleet post office on a space available basis on United States-flag carriers only, under such conditions and regulations as the Secretary of Defense may prescribe and at rates approved by the Civil Aeronautics Board for space available parcel service which shall not exceed the minimum rates charged for the airlift of military cargo in scheduled airline service.

"(6) Paragraphs (4) and (5) of this subsection shall be administered under such conditions, and under such regulations, as the Postmaster General and the Secretary of Defense jointly may prescribe."

Repeal.
Ante, p. 548.

SEC. 3. (a) Section 1040 of title 10, United States Code (relating

to free postage for the United States Armed Forces in combat zones), is hereby repealed.

(b) The analysis of chapter 53 of title 10, United States Code, is amended by striking out

"1040. Free postage from combat zones.".

Approved November 1, 1965.

Public Law 89-316

November 2, 1965
[H. R. 8370]

AN ACT

Making appropriations for the Department of Agriculture and related agencies 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, for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes; namely:

Department of Agriculture and Related Agencies Appropriation Act, 1966.

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 to 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; $123,622,500, of which not to exceed $11,418,000 shall remain available until expended for plans, construction, alteration, and improvement of facilities, without regard to limitations contained herein, and in

addition not to exceed $18,100,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88-250 to be transferred to and merged with this appropriation: *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. 113(a));

49 Stat. 774.
7 USC 612c.
77 Stat. 820.

62 Stat. 198.
21 USC 113a.

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), $74,299,500, 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;

61 Stat. 7.

31 USC 665.

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, $3,000,000: *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).

68 Stat. 456;
72 Stat. 275;
73 Stat. 606.

58 Stat. 742.
60 Stat. 810.

COOPERATIVE STATE RESEARCH SERVICE

PAYMENTS AND EXPENSES

For payments to agricultural experiment stations, for grants for cooperative forestry research, for basic scientific research, and for facilities, and for other expenses, including $48,113,000 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; $2,500,000 for grants for cooperative forestry research under the Act approved October 10, 1962 (16 U.S.C. 582a-582a-7); and not to exceed $400,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88-250 to be transferred and merged with this appropriation; $1,600,000 in addition to funds otherwise available for grants for support of basic scientific research under the Act approved September 6, 1958 (42 U.S.C. 1891-1893); $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 $272,000 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, $54,795,000.

69 Stat. 671.
76 Stat. 806.
49 Stat. 774.
7 USC 612c.
77 Stat. 820.
72 Stat. 1793.
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), $74,030,000; 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, $75,600,000: *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, $7,857,000.

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, $2,565,000.

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

44 Stat. 802.

marketing aspects of farmer cooperatives, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), $1,141,000.

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, $106,373,000: *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.

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, $5,721,000, 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

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, $65,671,000, 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 $5,500,000, 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; $25,417,000, 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.
33 USC 701a-701h.
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), $16,000,000, 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), $4,303,000, to remain available until expended: *Provided*, That not to exceed $1,500,000 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 agriculture, adjustments, costs and returns in farming, and farm

60 Stat. 1087.

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; $11,536,000: *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, $13,755,000: *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, as authorized by law, and for administration and coordination of payments to States; and this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed $25,000 shall be available for employment at rates not to exceed $75 per diem 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; $76,192,000.

52 Stat. 36.

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.

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), $103,000,000. 75 Stat. 319.

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), $157,000,000, 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, 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. 49 Stat. 774. 7 USC 612c.

FOOD STAMP PROGRAM

For necessary expenses of the food stamp program pursuant to the Food Stamp Act of 1964, $100,000,000, of which $20,000,000 shall be derived from amounts appropriated under this head for the previous fiscal year, which amount shall be transferred to and merged with this appropriation. 78 Stat. 703. 7 USC 2011 note.

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), $20,574,000: *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. 49 Stat. 774.

SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

Amounts heretofore appropriated under this head shall be available for payments in any foreign currencies owed to or owned by the United States.

COMMODITY EXCHANGE AUTHORITY

SALARIES AND EXPENSES

42 Stat. 998; 49 Stat. 1491.

For necessary expenses to carry into effect the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1-17a), $1,169,000.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

EXPENSES, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

52 Stat. 38.
61 Stat. 922.
49 Stat. 1148; 50 Stat. 525.
70 Stat. 191; 73 Stat. 552.
62 Stat. 792.
52 Stat. 31. 16 USC 590h.

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), 16(h), 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, $126,278,500: *Provided*, That, in addition, not to exceed $81,933,500 may be transferred to and merged with this appropriation from the Commodity Credit Corporation fund (including not to exceed $34,874,000 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), $95,000,000, 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, 1964 and 1965, carried out during the period July 1, 1963, to December 31, 1965, inclusive: *Provided*, That none of the funds herein appropriated shall be used to pay the salaries or expenses of 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 1966 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.

77 Stat. 827; 78 Stat. 869.

49 Stat. 1148. 16 USC 590g-590q.

53 Stat. 1147; 54 Stat. 767. 5 USC 118k note. 62 Stat. 792.

CROPLAND CONVERSION PROGRAM

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.

76 Stat. 606.

CONSERVATION RESERVE PROGRAM

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, $146,000,000, 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.

70 Stat. 191; 73 Stat. 552.

EMERGENCY CONSERVATION MEASURES

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, $24,000,000, with which shall be merged the unexpended balances of funds heretofore appropriated for emergency conservation measures.

71 Stat. 176.

RURAL COMMUNITY DEVELOPMENT SERVICE

SALARIES AND EXPENSES

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, $625,000: *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 $3,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

58 Stat. 742.

60 Stat. 810.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

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), $10,491,000.

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, $4,184,000.

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, $1,689,000, of which total appropriation not to exceed $537,000

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.
58 Stat. 742.
60 Stat. 810.

NATIONAL AGRICULTURAL LIBRARY

SALARIES AND EXPENSES

For necessary expenses of the National Agricultural Library, $1,699,000: *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).

LIBRARY FACILITIES

For construction and furnishing of facilities for the National Agricultural Library, to remain available until expended, $7,000,000, with which shall be merged the unexpended balance of funds heretofore appropriated under this head.

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, $2,483,000.

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, including expenses of the National Agricultural Advisory Commission; 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, $3,848,000: *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.

60 Stat. 237.

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.

TITLE II—CREDIT AGENCIES

RURAL ELECTRIFICATION ADMINISTRATION

49 Stat. 1363; 63 Stat. 948.

To carry into effect the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901–924), as follows:

LOAN AUTHORIZATIONS

61 Stat. 546. 7 USC 903.

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, as follows: Rural electrification program, $365,000,000, of which $60,000,000 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, $97,000,000, 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

58 Stat. 742. 60 Stat. 810.

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), $11,934,000.

FARMERS HOME ADMINISTRATION

DIRECT LOAN ACCOUNT

75 Stat. 307.

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, $75,000,000; and operating loans, $300,000,000, of which $50,000,000 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.

RURAL HOUSING FOR DOMESTIC FARM LABOR

42 USC 1486.

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 (78 Stat. 796–798), $3,000,000, to remain available until expended.

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.

RURAL HOUSING FOR THE ELDERLY REVOLVING FUND

For loans pursuant to section 515(a) of the Housing Act of 1949, as amended (42 U.S.C. 1485), including advances pursuant to section 335(a) of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1985) in connection with security for such loans, $2,500,000. 76 Stat. 671. 75 Stat. 315.

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), as amended, title V of the Housing Act of 1949, as amended (42 U.S.C. 1471-1484), and the Rural Rehabilitation Corporation Trust Liquidation Act, approved May 3, 1950 (40 U.S.C. 440-444); $44,000,000, 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. 64 Stat. 98. 75 Stat. 309. 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: 61 Stat. 584. 31 USC 849.

FEDERAL CROP INSURANCE CORPORATION

ADMINISTRATIVE AND OPERATING EXPENSES

For administrative and operating expenses, $8,000,000.

FEDERAL CROP INSURANCE CORPORATION FUND

Not to exceed $4,000,000 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 $250,000 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), $2,800,000,000: *Provided*, That after June 30, 1964, the portion of borrowings from Treasury equal to the unreimbursed realized losses recorded on the books of the Corporation after June 30 of the fiscal year in which such losses are realized, shall not bear interest and interest shall not be accrued or paid thereon.

75 Stat. 391.

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 $36,650,000 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 1966, 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, $1,144,000,000; (2) commodities disposed of for emergency famine relief to friendly peoples pursuant to title II of said Act, $298,500,000; and (3) long-term supply contracts pursuant to title IV of said Act, $215,500,000.

68 Stat. 455; 73 Stat. 610.

INTERNATIONAL WHEAT AGREEMENT

For expenses during fiscal year 1966 and unrecovered prior years' costs, including interest thereon, under the International Wheat Agreement Act of 1949, as amended (7 U.S.C. 1641-1642), $27,544,000, to remain available until expended. 63 Stat. 945.

TITLE IV—RELATED AGENCIES

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $2,990,000 (from assessments collected from farm credit agencies) shall be obligated during the current fiscal year for administrative expenses.

NATIONAL COMMISSION ON FOOD MARKETING

SALARIES AND EXPENSES

For necessary expenses of the National Commission on Food Marketing, established by Public Law 88-354, approved July 3, 1964, $1,500,000, of which $250,000 shall be available solely for preparation and submission of the final report and complete and final liquidation of the Commission's activities not later than June 30, 1966. 78 Stat. 269. 7 USC 1621 note.

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 sixty-four (464) passenger motor vehicles, of which four hundred and forty-eight (448) shall be 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). Uniform allowances. 68 Stat. 1114.

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. 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.

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. Contracting.

This Act may be cited as the "Department of Agriculture and Related Agencies Appropriation Act, 1966". Short title.

Approved November 2, 1965.

Public Law 89-317

November 2, 1965
[H. J. Res. 397]

JOINT RESOLUTION

To authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from the United States to the District of Columbia Redevelopment Land Agency title to certain real property in said District.

D.C. Code 47-720 and note, 47-718 and note.

Whereas, pursuant to the applicable provisions of Acts of February 12, 1901 (31 Stat. 767), and February 28, 1903 (32 Stat. 909), hereinafter referred to as the "Union Station Acts", certain streets within the District of Columbia were "completely vacated and abandoned by the public and closed to public use" and "vacated, abandoned, and closed", and the use thereof granted to the Baltimore and Ohio Railroad Company, the terminal company provided for in section 10 of such Act approved February 12, 1901, and the Philadelphia, Baltimore, and Washington Railroad Company, the latter company having thereafter leased said street area to the Pennsylvania Railroad Company under a nine hundred and ninety-nine-year lease (said companies collectively being hereinafter referred to as the "railroads") for the railroad use prescribed in the Union Station Acts, subject to taxation by the District of Columbia; and

Whereas said grant by the Congress of the use of these street areas was, in part, consideration for the dedication by the railroads to the District of Columbia for street and highway purposes of certain land owned in fee simple by the railroads; and

D.C. Code 5-701 note.

Whereas the District of Columbia Redevelopment Act of 1945 (60 Stat. 790), as amended (title 5, chap. 7, D.C. Code, 1961 ed.) (hereinafter referred to as the "Redevelopment Act"), requires the District of Columbia Redevelopment Land Agency (hereinafter referred to as the "Agency") to carry out duly adopted urban renewal plans, and the duly adopted urban renewal plan for Southwest urban renewal project area C requires acquisition by the Agency of certain properties within and abutting said street areas and redevelopment of said properties for other than railroad use; and

Whereas, for value received, the railroads sold to the Agency the fee simple title to those portions of said properties owned by them in fee simple, as well as all right, title, and interest in the former street, alley, and other United States-owned reservations vested in them by the Union Station Acts; and

Whereas, notwithstanding that sale by the railroads, the United States continues to own bare legal title to said properties covered by the Union Station Acts and, in order for the Agency to exercise its responsibilities and duties under said urban renewal plan and said Redevelopment Act, it is necessary that title to these properties be transferred to, and vested in, the Agency for subsequent sale or lease for private development: Now, therefore, be it

D.C. Transfer of U.S. real property.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with the provisions of this joint resolution, the Commissioners of the District of Columbia, consistent with their approval of the urban renewal plan requiring such action, are authorized and directed on behalf of the United States of America to transfer to the Agency all right, title, and interest of the United States in and to the following real properties in the District of Columbia:

(a) Part of Maryland Avenue Southwest, of Thirteen-and-a-Half Street Southwest, and of Thirteenth Street Southwest, described as follows:

Beginning for the same at the intersection of the northerly line of Maryland Avenue Southwest, with the east line of Fourteenth Street

Southwest, and running thence along the said northerly line of Maryland Avenue in a northeasterly direction 256.25 feet to the west line of Thirteen-and-a-Half Street Southwest;

thence along the said line of Thirteen-and-a-Half Street due north 251.67 feet to the south line of D Street Southwest;

thence due east 70.0 feet to the east line of Thirteen-and-a-Half Street;

thence along the said east line of Thirteen-and-a-Half Street due south 226.50 feet to the northerly line of Maryland Avenue;

thence along the said line of Maryland Avenue in a northeasterly direction 256.50 feet to the west line of Thirteenth Street Southwest;

thence along the said west line of Thirteenth Street due north 140.92 feet to the south line of D Street;

thence due east 110.0 feet to the east line of Thirteenth Street Southwest;

thence along the said line of Thirteenth Street due south 101.67 feet to the northerly line of Maryland Avenue;

thence along the northerly line of Maryland Avenue in a northeasterly direction 255.85 feet;

thence leaving the said line of Maryland Avenue and running along the arc of a circle, the radius of which is 811.27 feet, a central angle of 1 degree 40 minutes 55 seconds, deflecting to the left an arc distance of 23.82 feet;

thence south 70 degrees 00 minutes 00 seconds west 592.28 feet;

thence south 64 degrees 54 minutes 00 seconds west 146.81 feet;

thence along the arc of a circle, the radius of which is 60.0 feet, a central angle of 60 degrees 36 minutes 40 seconds, deflecting to the right an arc distance of 63.47 feet to a point of tangent;

thence south 60 degrees 36 minutes 40 seconds west 184.47 feet;

thence north 51 degrees 37 minutes 00 seconds west 38.0 feet to a point of curve;

thence along the arc of a circle, the radius of which is 47.0 feet, a central angle of 51 degrees 37 minutes, deflecting to the right an arc distance of 42.34 feet to a point of tangent;

thence due north 30.06 feet to the point of beginning, containing 61,786.20 square feet;

all as shown on plat of survey recorded in the Office of the Surveyor of the District of Columbia in survey book 173, page 458.

(b) Part of Thirteenth Street Southwest, closed, part of Thirteen-and-a-Half Street Southwest, closed, and part of E Street Southwest, closed, as per plat recorded in the Office of the Surveyor of the District of Columbia in book 140, page 73, described in one piece, as follows:

Beginning for the same at a point in the southerly line of Maryland Avenue Southwest, said point being south 70 degrees 28 minutes 40 seconds west 361.01 feet from the intersection of the west line of Twelfth Street Southwest, with the said southerly line of Maryland Avenue, said point being also the northwesterly corner of original square 299; and running thence along the east line of Thirteenth Street Southwest, closed, due south 409.71 feet;

thence due west 95.59 feet;

thence north 71 degrees 17 minutes 15 seconds west 15.21 feet to the west line of said Thirteenth Street closed;

thence along said line due north 79.47 feet to the south line of E Street Southwest, closed, said point being also the northeast corner of original square 270;

thence along the south line of said E Street closed due west 234.62 feet;

thence north 71 degrees 17 minutes 15 seconds west 106.13 feet;

thence north 51 degrees 37 minutes 00 seconds west 90.15 feet to the north line of said E Street closed;

thence along said line due east 94.12 feet to the west line of Thirteenth-and-a-Half Street Southwest, closed, said point being also the southeast corner of original square east-of-267;

thence along the west line of said Thirteen-and-a-Half Street closed due north 85.83 feet to the said southerly line of Maryland Avenue;

thence along said line north 70 degrees 28 minutes 40 seconds east 74.27 feet to the east line of said Thirteen-and-a-Half Street closed, said point being also the northwesterly corner of original square 269;

thence along the east line of said Thirteen-and-a-Half Street closed due south 110.65 feet to the north line of said E Street closed;

thence along said line due east 241.66 feet to the west line of said Thirteenth Street closed;

thence along said line due north 196.33 feet to the southerly line of said Maryland Avenue;

thence along said line north 70 degrees 28 minutes 40 seconds east 116.71 feet to the point of beginning, containing 80,206.53 square feet;

all as shown on plat of computation recorded in the Office of the Surveyor of the District of Columbia in survey book 183, page 81.

(c) Part of Maryland Avenue Southwest, described as follows:

Beginning for the same at the intersection of the west line of Twelfth Street Southwest, with the southerly line of Maryland Avenue Southwest, said point being also the northeasterly corner of original square 299; and running thence along the said southerly line of Maryland Avenue south 70 degrees 28 minutes 40 seconds west 889.79 feet;

thence north 53 degrees 21 minutes 10 seconds east 104.83 feet;

thence north 72 degrees 43 minutes 00 seconds east 790.21 feet to the point of beginning, containing 13,733.95 square feet;

all as shown on plat of computation recorded in the Office of the Surveyor of the District of Columbia in survey book 183, page 81.

(d) Parts of Third Street Southwest, Fourth Street Southwest, and Virginia Avenue Southwest, abutting square 537, described in one piece as follows:

Beginning for the same at the intersection of the north line of E Street Southwest, with the west line of Third Street Southwest, said point also being the southeast corner of said square 537, and running thence along the said line of Third Street, due north 122.08 feet to the southerly line of Virginia Avenue Southwest;

thence along said line of Virginia Avenue in a northwesterly direction 598.0 feet to the east line of Fourth Street Southwest;

thence along said line of Fourth Street due south 323.33 feet to the southwest corner of said square 537;

thence due west 13.0 feet;

thence due north 373.68 feet;

thence in a southeasterly direction, parallel with and 16.0 feet southwestwardly at right angles from the centerline of track numbered 1 of railroad of the Philadelphia, Baltimore, and Washington Railroad Company, 633.12 feet;

thence due south 160.60 feet;

thence due west 19.36 feet to the point of beginning, containing 33,698.44 square feet;

all as shown on plat of survey recorded in the Office of the Surveyor of the District of Columbia in survey book 174, page 413.

(e) Parts of Third Street Southwest, Virginia Avenue Southwest, and public space abutting square N-583, described in one piece, as follows:

Beginning for the same at the intersection of the north line of E Street Southwest, with the east line of Third Street Southwest, said point also being the southwest corner of square N-583, and running thence due west 20.42 feet;

thence due north 135.50 feet;

thence in a southeasterly direction, parallel with and 16.0 feet southwestwardly at right angles from the centerline of track numbered 1 of railroad of the Philadelphia, Baltimore, and Washington Railroad Company, 390.04 feet;

thence due south 4.23 feet;

thence due west 225.71 feet to the southeast corner of said square N-583;

thence along said square due north 40.0 feet to the southwesterly line of Virginia Avenue Southwest;

thence along said line in a northwesterly direction 128.33 feet to the said east line of Third Street;

thence along said line due south 82.67 feet to the point of beginning, continuing 18,229.36 square feet;

all as shown on plat of survey recorded in the Office of the Surveyor of the District of Columbia in survey book 174, page 413.

(f) Part of Virginia Avenue, Sixth Street, and public space abutting square S-463, described as follows:

Beginning for the same at the intersection of the west line of Sixth Street, southwest, with the northerly line of Virginia Avenue, said point of beginning being also the most southerly corner of square S-463; and running thence along the said west line of Sixth Street due north 75.33 feet;

thence due east 9.25 feet;

thence due south 106.15 feet;

thence in a northwesterly direction along the line 25.90 feet from and parallel to the said northerly line of Virginia Avenue north 70 degrees 17 minutes 40 seconds west 522.42 feet;

thence due north 20.0 feet;

thence due east 134.24 feet to the northwest corner of said square S-463;

thence along the west line of said square due south 40.58 feet to the said northerly line of Virginia Avenue;

thence in a southeasterly direction along the said northerly line of Virginia Avenue south 70 degrees 17 minutes 40 seconds east 370.0 feet to the point of beginning, containing 16,461.50 square feet;

all as shown on plat of survey recorded in the Office of the Surveyor of the District of Columbia in survey book 176, page 372.

(g) Part of D Street and Maryland Avenue, southwest, described as follows:

Beginning for the same at the southeast corner of square 386, and running thence due south 14.26 feet;

thence due west 605.71 feet to a point of curve;

thence along the arc of a circle, the radius of which is 600.0 feet, deflecting to the left an arc distance of 125.58 feet;

thence north 70 degrees 28 minutes 00 seconds east 774.97 feet;

thence due south 47.51 feet to the northeast corner of said square 386;

thence along the northwesterly boundary of said square in a southwesterly direction 432.25 feet to the northwest corner of said square;

thence due south 40.0 feet to the southwest corner of said square;

thence along the southerly boundary of said square due east 407.42 feet to the point of beginning, containing 39,922.0 square feet;

all as shown on plat of survey recorded in the Office of the Surveyor of the District of Columbia in survey book 173, page 396.

60 Stat. 790. D.C. Code 5-701 note.

SEC. 2. The Agency is hereby authorized in accordance with the Redevelopment Act, to lease or sell, as an entirety or parts thereof separately, to one or more redevelopment companies or other lessees or purchasers, such real property as may be transferred to the Agency under the authority of this joint resolution.

Transfer of lands, payment.

SEC. 3. The Agency is authorized to transfer to the government of the District of Columbia all right, title, and interest of the Agency in that portion of the right-of-way formerly occupied by the railroads, which is now a part of the land included in the District of Columbia highway system, for which the Agency compensated the railroads and acquired the interest of said railroads, and the Commissioners of the District of Columbia are hereby authorized in this instance to pay the Agency the sum of $82,896 for said sites, which are described as follows:

(a) Part of Thirteen-and-a-Half Street Southwest, and E Street Southwest described in one piece as follows:

Beginning for the same at the intersection of the east line of Thirteen-and-a-Half Street Southwest with the northeasterly line of Maine Avenue Southwest; and running thence north 51 degrees 37 minutes 00 seconds west 119.22 feet to the southerly line of said Thirteen-and-a-Half Street and E Street closed by plat recorded in the Office of the Surveyor of the District of Columbia in book 140, page 73;

thence along said line south 71 degrees 17 minutes 15 seconds east 106.13 feet to the south line of said E Street;

thence along said line due west 7.04 feet to the east line of said Thirteen-and-a-Half Street;

thence along said line due south 40.0 feet to the point of beginning containing 1,990.50 square feet;

all as shown on plat of computation recorded in the Office of the Surveyor of the District of Columbia in survey book 174, page 308.

(b) Part of Thirteenth Street Southwest, described as follows:

Beginning for the same at the intersection of the east line of Thirteenth Street Southwest with the northeasterly line of Maine Avenue Southwest; and running thence north 71 degrees 17 minutes 15 seconds west 116.14 feet to the west line of said Thirteenth Street;

thence along said line due north 42.37 feet to the southerly line of Thirteenth Street closed by plat recorded in the Office of the Surveyor of the District of Columbia in book 140, page 73;

thence along said line south 71 degrees 17 minutes 15 seconds east 15.21 feet;

thence still along said line due east 95.59 feet to the said east line of Thirteenth Street;

thence along said line due south 74.75 feet to the point of beginning containing 6,209.20 square feet;

all as shown on plat of computation recorded in the Office of the Surveyor of the District of Columbia in survey book 174, page 308.

SEC. 4. No transfer or donation of any interest in real property under the authority of this joint resolution shall constitute a local

grant-in-aid in connection with any urban renewal project being undertaken with Federal assistance under title I of the Housing Act of 1949, as amended.

63 Stat. 414. 42 USC 1450-1465.

SEC. 5. As used in this joint resolution, the terms "Agency", "lessee", "purchaser", "real property", "redevelopment", and "redevelopment company" shall have the respective meanings provided for such terms by section 3 of the Redevelopment Act.

60 Stat. 791; 72 Stat. 1102. D.C. Code 5-702.

Approved November 2, 1965.

Public Law 89-318

November 2, 1965 [H. R. 9545]

AN ACT

Providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared that the national interest requires that the United States acquire all right, title, and interest, in and to, certain items of evidence, to be designated by the Attorney General pursuant to section 2 of this Act, which were considered by the President's Commission on the Assassination of President Kennedy (hereinafter referred to as "items"), and requires that those items be preserved by the United States.

President John F. Kennedy, assassination. Preservation of evidence.

SEC. 2. (a) The Attorney General is authorized to determine, from time to time, which items should, in conformity with the declaration contained in the first section of this Act, be acquired and preserved by the United States. Each such determination shall be published in the Federal Register.

Determination by Attorney General. Publication in Federal Register.

(b) Whenever the Attorney General determines that an item should be acquired and preserved by the United States, all right, title, and interest in and to, that item shall be vested in the United States upon the publication of that determination in the Federal Register.

(c) The authority conferred upon the Attorney General by subsection (a) of this section to make determinations shall expire one year from the date of enactment of this Act, and the vesting provisions of subsection (b) of this section shall be valid only with respect to items described in determinations published in the Federal Register within that one-year period.

Authority, expiration date.

SEC. 3. The United States Court of Claims or the United States district court for the judicial district wherein the claimant resides shall have jurisdiction, without regard to the amount in controversy, to hear, determine, and render judgment upon any claim for just compensation for any item or interest therein acquired by the United States pursuant to section 2 of this Act; and where such claim is filed in the district court the claimant may request a trial by jury: *Provided*, That the claim is filed within one year from the date of publication in the Federal Register of the determination by the Attorney General with respect to such items.

U.S. Courts, jurisdiction.

SEC. 4. All items acquired by the United States pursuant to section 2 of this Act shall be placed under the jurisdiction of the Administrator of General Services for preservation under such rules and regulations as he may prescribe.

Preservation of items by GSA.

SEC. 5. All items acquired by the United States pursuant to section 2 of this Act shall be deemed to be personal property and records of the United States for the purposes of laws relating to the custody, administration, and protection of personal property and records of

U.S. property. Penalty provision.

62 Stat. 795, 796.

the United States, including, but not limited to, sections 2071 and 2112 of title 18 of the United States Code.

SEC. 6. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Approved November 2, 1965.

Public Law 89-319

November 2, 1965
[H. R. 1781]

AN ACT

To amend section 113(a) of title 28, United States Code, to provide that Federal District Court for the Eastern District of North Carolina shall be held at Clinton.

U.S. Courts, Clinton, N.C.
62 Stat. 886.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 113(a) of title 28, United States Code, is amended by striking out "Court for the Eastern District shall be held at Elizabeth City, Fayetteville, New Bern, Raleigh, Washington, Wilmington, and Wilson." and inserting in lieu thereof "Court for the Eastern District shall be held at Clinton, Elizabeth City, Fayetteville, New Bern, Raleigh, Washington, Wilmington, and Wilson.".

Approved November 2, 1965.

Public Law 89-320

November 3, 1965
[H. J. Res. 597]

JOINT RESOLUTION

Providing for the erection of a memorial to the late Doctor Robert H. Goddard, the father of rocketry.

Doctor Robert H. Goddard Memorial.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Aeronautics and Space Administration shall erect in the Commonwealth of Massachusetts an appropriate memorial to the late Doctor Robert H. Goddard, former professor of physics at Clark University in Worcester, Massachusetts, and the father of rocketry.

The memorial shall comprise a sculpture in bronze or other enduring metal and shall symbolize the scientist's role as the pioneer of the space age. It shall be located on the Clark University campus in Worcester, Massachusetts, on a site donated by the Clark trustees adjacent to the Robert Hutchings Goddard Library. The National Aeronautics and Space Administration shall request the advice and comment of the Commission of Fine Arts and consult with Clark University trustees with respect to the design and setting of the memorial.

The memorial shall give appropriate recognition to the pioneering efforts of the late Doctor Goddard in his country's achievements in rocketry and supersonic flight.

Appropriation.

SEC. 2. There are authorized to be appropriated such sums as may be necessary, not to exceed $150,000, to carry out the purposes of this joint resolution.

Approved November 3, 1965, 10:15 p.m.

Public Law 89-321

November 3, 1965
[H. R. 9811]

AN ACT

To maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural 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 this Act may be cited as the "Food and Agriculture Act of 1965".

Food and Agriculture Act of 1965.

TITLE I—DAIRY

SEC. 101. The Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by striking in subparagraph (B) of subsection 8c(5) all of clause (d) and inserting in lieu thereof a new clause (d) to read as follows:

49 Stat. 753.
7 USC 608c.

"(d) a further adjustment, equitably to apportion the total value of the milk purchased by any handler, or by all handlers, among producers and associations of producers, on the basis of their marketings of milk, which may be adjusted to reflect sales of such milk by any handler or by all handlers in any use classification or classifications, during a representative period of time which need not be limited to one year. In the event a producer holding a base allocated under this clause (d) shall reduce his marketings, such reduction shall not adversely affect his history of production and marketing for the determination of future bases. Allocations to producers under this clause (d) may be transferable under an order on such terms and conditions as may be prescribed if the Secretary of Agriculture determines that transferability will be in the best interest of the public, existing producers, and prospective new producers. Any increase in class one base resulting from enlarged or increased consumption and any producer class one bases forfeited or surrendered shall first be made available to new producers and to the alleviation of hardship and inequity among producers. In the case of any producer who during any accounting period delivers a portion of his milk to persons not fully regulated by the order, provision may be made for reducing the allocation of, or payments to be received by, any such producer under this clause (d) to compensate for any marketings of milk to such other persons for such period or periods as necessary to insure equitable participation in marketings among all producers";

and by adding at the end of said subparagraph (B) the following: "Notwithstanding the provisions of section 8c(12) and the last sentence of section 8c(19) of this Act, order provisions under (d) above shall not become effective in any marketing order unless separately approved by producers in a referendum in which each individual producer shall have one vote and may be terminated separately whenever the Secretary makes a determination with respect to such provisions as is provided for the termination of an order in subparagraph 8c(16)(B). Disapproval or termination of such order provisions shall not be considered disapproval of the order or of other terms of the order."

75 Stat. 305.

SEC. 102. Such Act is further amended (a) by adding to subsection 8c(5) the following new paragraph: "(H) Marketing orders applicable to milk and its products may be limited in application to milk used for manufacturing."; and (b) by amending subsection 8c(18) by adding after the words "marketing area" wherever they occur the

62 Stat. 1258.

words "or, in the case of orders applying only to manufacturing milk, the production area".

Termination.

SEC. 103. The provisions of this title shall not be effective after December 31, 1969.

Producer handlers of milk, legal status.

48 Stat. 31; 50 Stat. 246. 7 USC 601 notes, 674 note.

SEC. 104. The legal status of producer handlers of milk under the provisions of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, shall be the same subsequent to the adoption of the amendments made by this title as it was prior thereto.

TITLE II—WOOL

Price supports.

SEC. 201. The National Wool Act of 1954, as amended, is amended, as follows:

68 Stat. 910; 75 Stat. 306. 7 USC 1782.

(1) By deleting from section 703 "March 31, 1966" and inserting in lieu thereof "December 31, 1969".

(2) By changing the period at the end of the third sentence of section 703 to a colon and inserting the following:

"*Provided further*, That the support price for shorn wool for the 1966 and each subsequent marketing year shall be determined by multiplying 62 cents by the ratio of (i) the average of the parity index (the index of prices paid by farmers, including commodities and services, interest, taxes, and farm wage rates, as defined in section 301 (a)(1)(C) of the Agricultural Adjustment Act of 1938, as amended) for the three calendar years immediately preceding the calendar year in which such price support is determined and announced to (ii) the average parity index for the three calendar years 1958, 1959, and 1960, and rounding the resulting amount to the nearest full cent."

62 Stat. 1250. 7 USC 1301.

(3) By deleting the fourth sentence of section 703.

TITLE III—FEED GRAINS

72 Stat. 994. 7 USC 1441 note.

SEC. 301. Section 105 of the Agricultural Act of 1949, as amended, is amended by adding the following new subsection (e):

"(e) For the 1966 through 1969 crops of feed grains, the Secretary shall require, as a condition of eligibility for price support on the crop of any feed grain which is included in any acreage diversion program formulated under section 16(i) of the Soil Conservation and Domestic Allotment Act, as amended, that the producer shall participate in the diversion program to the extent prescribed by the Secretary, and, if no diversion program is in effect for any crop, he may require as a condition of eligibility for price support on such crop of feed grains that the producer shall not exceed his feed grain base: *Provided*, That the acreage on any farm which is diverted from the production of feed grains pursuant to a contract hereafter entered into under the Cropland Adjustment Program shall be deemed to be acreage diverted from the production of feed grains for purposes of meeting the foregoing requirements for eligibility for price support: *Provided further*, That the Secretary may provide that no producer of malting barley shall be required as a condition of eligibility for price support for barley to participate in the acreage diversion program for feed grains if such producer has previously produced a malting variety of barley, plants barley only of an acceptable malting variety for harvest, does not knowingly devote an acreage on the farm to barley in excess of 110 per centum of the average acreage devoted on the farm to barley in 1959 and 1960, does not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the acreage devoted on the farm to corn and grain sorghums in 1959 and 1960, and does not devote any acreage devoted to the production of oats and rye in 1959 and 1960

Post, p. 1190.

Post, p. 1206.

to the production of wheat pursuant to the provisions of section 328 of the Food and Agriculture Act of 1962. Such portion of the support price for any feed grain included in the acreage diversion program as the Secretary determines desirable to assure that the benefits of the price-support and diversion programs inure primarily to those producers who cooperate in reducing their acreages of feed grains shall be made available to producers through payments-in-kind. Such payments-in-kind shall be made available on the maximum permitted acreage, or the Secretary may make the same total amount available on a smaller acreage or acreages at a higher rate or rates. The number of bushels of such feed grain on which such payments-in-kind shall be made shall be determined by multiplying that part of the actual acreage of such feed grain planted on the farm for harvest on which the Secretary makes such payments available by the farm projected yield per acre: *Provided*, That for purposes of such payments, the Secretary may permit producers of feed grains to have acreage devoted to soybeans considered as devoted to the production of feed grains to such extent and subject to such terms and conditions as the Secretary determines will not impair the effective operation of the price support program: *Provided further*, That for purposes of such payments, producers on any farm who have planted not less than 90 per centum of the acreage of feed grains permitted to be planted shall be deemed to have planted the entire acreage permitted. Notwithstanding the provisions of subsection (a), that portion of the support price which is made available through loans and purchases for the 1966 through 1969 crops may be reduced below the loan level for the 1965 crop by such amounts and in such stages as may be necessary to promote increased participation in the feed grain program, taking into account increases in yields, but so as not to disrupt the feed grain and livestock economy: *Provided*, That this authority shall not be construed to modify or affect the Secretary's discretion to maintain or increase total price support levels to cooperators. 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. The Secretary may make not to exceed 50 per centum of any payments hereunder to producers in advance of determination of performance. Payments-in-kind shall be made through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem for feed grains (such feed grains to be valued by the Secretary at not less than the current support price made available through loans and purchases, plus reasonable carrying charges) in accordance with regulations prescribed by the Secretary and notwithstanding any other provision of law, the Commodity Credit Corporation shall, in accordance with regulations prescribed by the Secretary, assist the producer in the marketing of such certificates. The Secretary shall provide for the sharing of such certificates among producers on the farm on the basis of their respective shares in the feed grain crop produced on the farm, or the proceeds therefrom, except that in any case in which the Secretary determines that such basis would not be fair and equitable, the Secretary shall provide for such sharing on such other basis as he may determine to be fair and equitable. If the operator of the farm elects to participate in the acreage diversion program, price support for feed grains included in the program shall be made available to the producers on such farm only if such producers divert from the production of such feed grains, in accordance with the provisions of such program,

76 Stat. 631.
7 USC 1339c.

an acreage on the farm equal to the number of acres which such operator agrees to divert, and the agreement shall so provide. In any case in which the failure of a producer to comply fully with the terms and conditions of the programs formulated under this subsection (e) and subsection (d) of this section preclude the making of payments-in-kind, the Secretary may, nevertheless, make such payments-in-kind in such amounts as he determines to be equitable in relation to the seriousness of the default."

77 Stat. 44.
7 USC 1441 note.

SEC. 302. Section 16 of the Soil Conservation and Domestic Allotment Act, as amended, is amended by adding the following new subsection:

49 Stat. 163, 1151.
16 USC 590p.

"(i) Notwithstanding any other provision of law—

"(1) For the 1966 through 1969 crops of feed grains, if the Secretary determines that the total supply of feed grains will, in the absence of an acreage diversion program, likely be excessive, taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices of feed grains and to meet any national emergency, he may formulate and carry out an acreage diversion program for feed grains, without regard to provisions which would be applicable to the regular agricultural conservation program, under which, subject to such terms and conditions as the Secretary determines, conservation payments shall be made to producers who divert acreage from the production of feed grains to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil-conserving crops or practices including summer fallow and idle land by an equal amount. Payments shall be made at such rate or rates as the Secretary determines will provide producers with a fair and reasonable return for the acreage diverted, but not in excess of 50 per centum of the estimated basic county support rate, including the lowest rate of payment-in-kind, on the normal production of the acreage diverted from the commodity on the farm based on the farm projected yield per acre. Notwithstanding the foregoing provisions, the Secretary may permit all or any part of such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, and flaxseed, if he determines that such production of the commodity is needed to provide an adequate supply, is not likely to increase the cost of the price support program, and will not adversely affect farm income subject to the condition that payment with respect to diverted acreage devoted to any such crop shall be at a rate determined by the Secretary to be fair and reasonable, taking into consideration the use of such acreage for the production of such crops, but in no event shall the payment exceed one-half the rate which otherwise would be applicable if such acreage were devoted to conservation uses. The term 'feed grains' means corn, grain sorghums, and, if designated by the Secretary, barley, and if for any crop the producer so requests for purposes of having acreage devoted to the production of wheat considered as devoted to the production of feed grains, pursuant to the provisions of section 328 of the Food and Agriculture Act of 1962, the term 'feed grains' shall include oats and rye and barley if not designated by the Secretary as provided above: *Provided*, That acreages of corn, grain sorghums, and, if designated by the Secretary, barley, shall not be planted in lieu of acreages of oats and rye and barley if not designated by the Secretary as provided above: *Provided further*, That the acreage devoted to the production of

Conservation payments.

"Feed grains."

76 Stat. 631.
7 USC 1339c.

wheat shall not be considered as an acreage of feed grains for purposes of establishing the feed grain base acreage for the farm for subsequent crops. Such feed grain diversion program shall require the producer to take such measures as the Secretary may deem appropriate to keep such diverted acreage free from erosion, insects, weeds, and rodents. The acreage eligible for participation in the program shall be such acreage (not to exceed 50 per centum of the average acreage on the farm devoted to feed grains in the crop years 1959 and 1960 or twenty-five acres, whichever is greater) as the Secretary determines necessary to achieve the acreage reduction goal for the crop. Payments shall be made in kind. The acreage of wheat produced on the farm during the crop years 1959, 1960, and 1961, pursuant to the exemption provided in section 335(f) of the Agricultural Adjustment Act of 1938, as amended, prior to its repeal by the Food and Agriculture Act of 1962, in excess of the small farm base acreage for wheat established under section 335 of the Agricultural Adjustment Act of 1938, as amended, may be taken into consideration in establishing the feed grain base acreage for the farm. The Secretary may make such adjustments in acreage as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop-rotation practices, types of soil, soil and water conservation measures, and topography. Notwithstanding any other provision of this subsection (i)(1), the Secretary may, upon unanimous request of the State committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, adjust the feed grain bases for farms within any State or county to the extent he determines such adjustment to be necessary in order to establish fair and equitable feed grain bases for farms within such State or county. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance. Notwithstanding any other provision of this subsection, barley shall not be included in the program for a producer of malting barley exempted pursuant to section 105(e) of the Agricultural Act of 1949, who participates only with respect to corn and grain sorghums and does not knowingly devote an acreage on the farm to barley in excess of 110 per centum of the average acreage devoted on the farm to barley in 1959 and 1960.

71 Stat. 477.

76 Stat. 621.
7 USC 1335.

52 Stat. 31.
16 USC 590h.

Ante, p. 1188.

"(2) Notwithstanding any other provision of this subsection, not to exceed 1 per centum of the estimated total feed grain bases for all farms in a State for any year may be reserved from the feed grain bases established for farms in the State for apportionment to farms on which there were no acreages devoted to feed grains in the crop years 1959 and 1960 on the basis of the following factors: Suitability of the land for the production of feed grains, the past experience of the farm operator in the production of feed grains, the extent to which the farm operator is dependent on income from farming for his livelihood, the production of feed grains on other farms owned, operated, or controlled by the farm operator, and such other factors as the Secretary determines should be considered for the purpose of establishing fair and equitable feed grain bases. An acreage equal to the feed grain base so established for each farm shall be deemed to have been devoted to feed grains on the farm in each of the crop years 1959 and 1960 for purposes of this subsection except that producers on such farm shall not be eligible for conservation payments for the first year for which the feed grain base is established.

"(3) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to carry out this section 16(i).

"(4) The Secretary shall provide by regulations for the sharing of payments under this subsection among producers on the farm on a fair and equitable basis and in keeping with existing contracts.

"(5) Payments in kind shall be made through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem for feed grains in accordance with regulations prescribed by the Secretary and, notwithstanding any other provision of law, the Commodity Credit Corporation shall, in accordance with regulations prescribed by the Secretary, assist the producer in the marketing of such certificates. Feed grains with which Commodity Credit Corporation redeems certificates pursuant to this paragraph shall be valued at not less than the current support price made available through loans and purchases, plus reasonable carrying charges.

"(6) Notwithstanding any other provision of law, the Secretary may, by mutual agreement with the producer, terminate or modify any agreement previously entered into pursuant to this subsection if he determines such action necessary because of an emergency created by drought or other disaster, or in order to prevent or alleviate a shortage in the supply of feed grains."

76 Stat. 631.
7 USC 1339a.

SEC. 303. Section 326 of the Food and Agriculture Act of 1962, as amended, is amended by deleting the language beginning with "the requirements" and ending with "Agricultural Act of 1961, and" and substituting therefor "the requirements of any program under which price support is extended or payments are made to farmers, and price support may be extended or".

TITLE IV—COTTON

SEC. 401. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

78 Stat. 173.
7 USC 1348.

(1) Section 348 of the Act is amended by adding the following new sentences at the end thereof: "The Secretary may extend the period for performance of obligations incurred in connection with payments made for the period ending July 31, 1966, or may make payments on raw cotton in inventory on July 31, 1966, at the rate in effect on such date. No payments shall be made hereunder with respect to 1966 crop cotton."

63 Stat. 674.
7 USC 1346.

(2) Section 346 of the Act is amended by adding at the end thereof a new subsection as follows:

"(e) Notwithstanding any other provision of this Act, for the 1966, 1967, 1968, and 1969 crops of upland cotton, if the farm operator elects to forgo price support for any such crop of cotton by applying to the county committee of the county in which the farm is located for additional acreage under this subsection, he may plant an acreage not in excess of the farm acreage allotment established under section 344 plus the acreage apportioned to the farm from the national export market acreage reserve, and all cotton of such crop produced on the farm may be marketed for export free of any penalty under this section: *Provided*, That the foregoing shall be applicable only to farms which had upland cotton allotments for 1965 and are operated by the same operator as in 1965 or by his heir.

7 USC 1344.

"For the 1966 crop the national export market acreage reserve shall be 250,000 acres. For each subsequent crop—

If the carryover at the end of the marketing year for the preceding crop is estimated to be less than the carryover at the beginning of such marketing year by—	The national export market acreage reserve shall be—
At least 1,000,000 bales	250,000 acres.
At least 750,000 bales, but not as much as 1,000,000 bales	187,500 acres.
At least 500,000 bales, but not as much as 750,000 bales	125,000 acres.
At least 250,000 bales, but not as much as 500,000 bales	62,500 acres.
Less than 250,000 bales	None.

"The national export market acreage reserve shall be apportioned to farms by the Secretary on the basis of the applications therefor. No application shall be accepted for a greater acreage than is available on the farm for the production of upland cotton. After apportionments are thus made to farms, the Secretary shall provide farm operators a reasonable time in which to cancel their applications (and agreements to forgo price support) and surrender to the Secretary through the county committee the export market acreage assigned to the farm. Acreage so surrendered shall be available for reassignment by the Secretary to other eligible farms to which export market acreage has been apportioned on the basis of the applications remaining outstanding. The operator of any farm who elects to forgo price support for any such crop under this subsection shall not be eligible for price support on cotton of such crop produced on any other farm in which he has a controlling or substantial interest as determined by the Secretary. Acreage planted to cotton in excess of the farm acreage allotment established under section 344 shall not be taken into account in establishing future State, county, and farm acreage allotments. The operator of any farm to which export market acreage is apportioned, or the purchasers of cotton produced on such farm, shall, under regulations issued by the Secretary, furnish a bond or other undertaking prescribed by the Secretary providing for the exportation, without benefit of any Government cotton export subsidy and within such time as the Secretary may specify, of all cotton produced on such farm for such year. The bond or other undertaking given pursuant to this subsection shall provide that, upon failure to comply with the terms and conditions thereof, the person furnishing such bond or other undertaking shall be liable for liquidated damages in an amount which the Secretary determines and specifies in such undertaking will approximate the amount payable on excess cotton under subsection (a). The Secretary may, in lieu of the furnishing of a bond or other undertaking, provide for the payment of an amount equal to that which would be payable as liquidated damages under such bond or other undertaking. If such bond or other undertaking is not furnished, or if payment in lieu thereof is not made as provided herein, at such time and in the manner required by regulations of the Secretary, or if the acreage planted to cotton on the farm exceeds the sum of the farm acreage allotment established under section 344 and the acreage apportioned to the farm from the national export market acreage reserve, the acreage planted to cotton in excess of the farm acreage allotment established under section 344 shall be regarded as excess acreage for purposes of this section and section 345. Amounts collected by the Secretary under this subsection shall be remitted to the Commodity Credit Corporation."

63 Stat. 670.
7 USC 1344.

7 USC 1345.

(3) Section 350 of the Act is amended, effective with the 1966 crop, to read as follows:

78 Stat. 175.
7 USC 1350.

"SEC. 350. In order to afford producers an opportunity to participate in a program of reduced acreage and higher price support, as provided in section 103(d) of the Agricultural Act of 1949, as amended, the Secretary shall determine a national domestic allotment for the

Post, p. 1194.

1966, 1967, 1968, and 1969 crops of upland cotton equal to the estimated domestic consumption of upland cotton (standard bales of four hundred and eighty pounds net weight) for the marketing year beginning in the year in which the crop is to be produced. The Secretary shall determine a farm domestic acreage allotment percentage for each such year by dividing (1) the national domestic allotment (in net weight pounds) by (2) the total for all States of the product of the State acreage allotment and the projected State yield. The farm domestic acreage allotment shall be established by multiplying the farm acreage allotment established under section 344 by the farm domestic acreage allotment percentage: *Provided*, That no farm domestic acreage allotment shall be less than 65 per centum of such farm acreage allotment. Such national domestic allotment shall be determined not later than October 15 of the calendar year preceding the year in which the crop is to be produced; except that in the case of the 1966 crop, such determination shall be made within 15 days after enactment of the Food and Agriculture Act of 1965."

63 Stat. 670.
7 USC 1344.

SEC. 402. (a) Section 103 of the Agricultural Act of 1949, as amended, is amended by adding the following new subsection at the end thereof:

72 Stat. 989;
78 Stat. 174.
7 USC 1444.

"(d)(1) Notwithstanding any other provision of this Act, if producers have not disapproved marketing quotas, price support and diversion payments shall be made available for the 1966, 1967, 1968, and 1969 crops of upland cotton as provided in this subsection.

"(2) Price support for each such crop of upland cotton shall be made available to cooperators through loans at such level, not exceeding a level which will reflect for Middling one-inch upland cotton at average location in the United States 90 per centum of the estimated average world market price for Middling one-inch upland cotton for the marketing year for such crop, as the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the United States taking into consideration the factors specified in section 401(b) of this Act: *Provided*, That the national average loan rate for the 1966 crop shall reflect 21 cents per pound for Middling one-inch upland cotton.

63 Stat. 1054.
7 USC 1421.

"(3) The Secretary also shall provide additional price support for each such crop through payments in cash or in kind to cooperators at a rate not less than 9 cents per pound: *Provided*, That the rate shall be such that the amount obtained by—

(i) multiplying the rate by the farm domestic acreage allotment percentage, and

(ii) dividing the product thus obtained by the cooperator percentage established under section 408(b), and

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(iii) adding the result thus obtained to the national average loan rate

shall not be less than 65 per centum or more than 90 per centum of the parity price for cotton as of the month in which the payment rate provided for by this paragraph is announced. Such payments shall be made on the quantity of cotton determined by multiplying the projected farm yield by the acreage planted to cotton within the farm domestic acreage allotment: *Provided*, That any such farm planting not less than 90 per centum of such domestic acreage allotment shall be deemed to have planted the entire amount of such allotment. An acreage on a farm in any such year which the Secretary finds was not planted to cotton because of drought, flood, or other natural disaster shall be deemed to be planted to cotton for purposes of payments under this subsection if such acreage is not subsequently devoted to any other income-producing crop in such year.

"(4) The Secretary shall make diversion payments in cash or in kind in addition to the price support payments authorized in paragraph (3) to cooperators who reduce their cotton acreage by diverting a portion of their cotton acreage allotment from the production of cotton to approved conservation practices to the extent prescribed by the Secretary: *Provided*, That no reduction below the domestic acreage allotments established under section 350 of the Agricultural Adjustment Act of 1938, as amended, shall be prescribed: *Provided further*, That payment under this paragraph shall be made available for diverting to conserving uses that part of the acreage allotment which must be diverted from cotton in order that the producer may qualify as a cooperator. The rate of payment for acreage required to be diverted in order to qualify as a cooperator shall not be less than 25 per centum of the parity price for upland cotton as of the month in which such rate is announced. The rate of payment for additional acreage diverted shall be such rate as the Secretary determines to be fair and reasonable, but shall not exceed 40 per centum of such parity price. Payment at each applicable rate shall be made on the quantity of cotton determined by multiplying the acreage diverted from the production of cotton at such rate by the projected farm yield. In addition to the foregoing payment, if any, payment at the rate applicable for acreage required to be diverted to qualify as a cooperator shall be made to producers on small farms as defined in section 408(b) who do not exceed their farm acreage allotments on a quantity of cotton determined by multiplying an acreage equal to 35 per centum of such farm acreage allotment by the projected farm yield.

Ante, p. 1193.

Post, p. 1197.

"(5) The Secretary may make not to exceed 50 per centum of the payments under this subsection to producers in advance of determination of performance and the balance of such payments shall be made at such time as the Secretary may prescribe.

"(6) Where the farm operator elects to participate in the diversion program authorized in this subsection and no acreage is planted to cotton on the farm, diversion payments shall be made at the rate established under paragraph (4) for acreage required to be diverted to qualify as a cooperator on the quantity of cotton determined by multiplying that part of the farm acreage allotment required to be diverted to qualify as a cooperator by the projected farm yield, and the remainder of such allotment may be released under the provisions of section 344(m)(2) of the Agricultural Adjustment Act of 1938, as amended. The acreage on which payment is made under this paragraph shall be regarded as planted to cotton for purposes of establishing future State, county, and farm acreage allotments, and farm bases.

73 Stat. 394.
7 USC 1344.

"(7) Payments in kind under this subsection shall be made through the issuance of certificates which the Commodity Credit Corporation shall redeem for cotton under regulations issued by the Secretary at a value per pound equal to not less than the current loan rate therefor. The Corporation may, under regulations prescribed by the Secretary, assist the producers in the marketing of such certificates at such times and in such manner as the Secretary determines will best effectuate the purposes of the program authorized by this subsection.

"(8) Payments under this subsection shall be conditioned on the farm having an acreage of approved conservation uses equal to the sum of (i) the reduction in cotton acreage required to qualify for such payments (hereinafter called "diverted acreage"), and (ii) the average acreage of cropland on the farm devoted to designated soil-conserving crops or practices, including summer fallow and idle land, during a base period prescribed by the Secretary: *Provided*, That the Secretary may permit all or any part of such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower,

castor beans, mustard seed, crambe, plantago ovato, and flaxseed, if he determines that such production is necessary to provide an adequate supply of such commodities, is not likely to increase the cost of the price support program, and will not adversely affect farm income, subject to the condition that payment under paragraph (4) or (6) with respect to diverted acreage devoted to any such crop shall be at a rate determined by the Secretary to be fair and reasonable, taking into consideration the use of such acreage for the production of such crops, but in no event shall the payment exceed one-half the rate which otherwise would be applicable if such acreage were devoted to conservation uses.

"(9) The acreage regarded as planted to cotton on any farm which qualifies for payment under this subsection except under paragraph (6) shall, for purposes of establishing future State, county, and farm acreage allotments and farm bases, be the farm acreage allotment established under section 344 of the Agricultural Adjustment Act of 1938, as amended, excluding adjustments under subsection (m)(2) thereof.

63 Stat. 670; 73 Stat. 394. 7 USC 1344.

"(10) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provision for sharing diversion payments on a fair and equitable basis under this subsection. The Secretary shall provide for the sharing of price support payments among producers on the farm on the basis of their respective shares in the cotton crop produced on the farm, or the proceeds therefrom, except that in any case in which the Secretary determines that such basis would not be fair and equitable, the Secretary shall provide for such sharing on such other basis as he may determine to be fair and equitable.

"(11) In any case in which the failure of a producer to comply fully with the terms and conditions of the programs formulated under this Act preclude the making of payments under this section, the Secretary may, nevertheless, make such payments in such amounts as he determines to be equitable in relation to the seriousness of the default.

"(12) Notwithstanding any other provision of this Act, if, as a result of limitations hereafter enacted with respect to price support under this subsection, the Secretary is unable to make available to all cooperators the full amount of price support to which they would otherwise be entitled under paragraphs (2) and (3) of this subsection for any crop of upland cotton, (A) price support to cooperators shall be made available for such crop (if marketing quotas have not been disapproved) through loans or purchases at such level not less than 65 per centum nor more than 90 per centum of the parity price therefor as the Secretary determines appropriate; (B) in order to keep upland cotton to the maximum extent practicable in the normal channels of trade, such price support may be carried out through the simultaneous purchase of cotton at the support price therefor and resale at a lower price or through loans under which the cotton would be redeemable by payment of a price therefor lower than the amount of the loan thereon; and (C) such resale or redemption price shall be such as the Secretary determines will provide orderly marketing of cotton during the harvest season and will retain an adequate share of the world market for cotton produced in the United States.

"(13) The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments), shall also apply to payments under this subsection.

52 Stat. 35. 16 USC 590h.

"(14) The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this subsection and to pay administrative expenses necessary in carrying out this subsection."

(b) Section 408(b) of the Agricultural Act of 1949, as amended, is amended, effective only for the 1966 through 1969 crops, by changing the period at the end of the first sentence thereof to a colon and adding the following: "*Provided*, That for upland cotton a cooperator shall be a producer on whose farm the acreage planted to such cotton does not exceed the cooperator percentage, which shall be in the case of the 1966 crop, 87.5 per centum of such farm acreage allotment and, in the case of each of the 1967, 1968, and 1969 crops, such percentage, not less than 87.5 or more than 100 per centum, of such farm acreage allotment as the Secretary may specify for such crop, except that in the case of small farms (i.e. farms on which the acreage allotment is 10 acres or less, or on which the projected farm yield times the acreage allotment is 3,600 pounds or less, and the acreage allotment has not been reduced under section 344(m)) the acreage of cotton on the farm shall not be required to be reduced below the farm acreage allotment."

63 Stat. 1055.
7 USC 1428.

68 Stat. 4.
7 USC 1344.

SEC. 403. Section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subparagraphs to paragraph (13) of subsection (b):

Post. p. 1205.

"(L) 'Projected national, State, and county yields' for any crop of cotton shall be determined on the basis of the yield per harvested acre of such crop in the United States, the State and the county, respectively, during each of the five calendar years immediately preceding the year in which such projected yield for the United States, the State, and the county, respectively, is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields, and for any significant changes in production practices.

"Projected national, State, and county yields."

"(M) 'Projected farm yield' for any crop of cotton shall be determined on the basis of the yield per harvested acre of such crop on the farm during each of the three calendar years immediately preceding the year in which such projected farm yield is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields, and for any significant changes in production practices, but in no event shall such projected farm yield be less than the normal yield for such farm as provided in subparagraph (I) of this paragraph."

"Projected farm yield."

SEC. 404. Section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: "Notwithstanding any other provision of this section, for the period August 1, 1966, through July 31, 1970, (1) the Commodity Credit Corporation shall sell upland cotton for unrestricted use at the same prices as it sells cotton for export, in no event, however, at less than 110 per centum of the loan rate, and (2) the Commodity Credit Corporation shall sell or make available for unrestricted use at current market prices in each marketing year a quantity of upland cotton equal to the amount by which the production of upland cotton is less than the estimated requirements for domestic use and for export for such marketing year. The Secretary may make such estimates and adjustments therein at such times as he determines will best effectuate the provisions of part (2) of the foregoing sentence and such quantities of cotton as are required to be sold under such sentence shall be offered for sale in an orderly manner and so as not to affect market prices unduly."

78 Stat. 177.
7 USC 1301.
7 USC 1427.

SEC. 405. The Agricultural Adjustment Act of 1938, as amended, is amended by adding after section 344 the following new section:

52 Stat. 31.
7 USC 1281.

"SEC. 344a. (a) Notwithstanding any other provision of law, the Secretary, if he determines that it will not impair the effective operation of the program involved, (1) may permit the owner and operator of any farm for which a cotton acreage allotment is established to sell or lease all or any part or the right to all or any part of such allotment (excluding that part of the allotment which the Secretary determines was apportioned to the farm from the national acreage reserve) to

Allotments.
Sale, lease, or transfer.

any other owner or operator of a farm for transfer to such farm; (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him: *Provided*, That the authority granted under this section may be exercised for the calendar years 1966, 1967, 1968, and 1969, but all transfers hereunder shall be for such period of years as the parties thereto may agree.

Conditions for transfers.

"(b) Transfers under this section shall be subject to the following conditions: (i) no allotment shall be transferred to a farm in another State or to a person for use in another State; (ii) no farm allotment may be sold or leased for transfer to a farm in another county unless the producers of cotton in the county from which transfer is being made have voted in a referendum within three years of the date of such transfer, by a two-thirds majority of the producers participating in such referendum, to permit the transfer of allotments to farms outside the county, which referendum, insofar as practicable, shall be held in conjunction with the marketing quota referendum for the commodity; (iii) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholder; (iv) no sale of a farm allotment shall be permitted if any sale of cotton allotment to the same farm has been made within the three immediately preceding crop years; (v) the total cotton allotment for any farm to which allotment is transferred by sale or lease shall not exceed the farm acreage allotment (excluding reapportioned acreage) established for such farm for 1965 by more than one hundred acres; (vi) no cotton in excess of the remaining acreage allotment on the farm shall be planted on any farm from which the allotment (or part of an allotment) is sold for a period of five years following such sale, nor shall any cotton in excess of the remaining acreage allotment on the farm be planted on any farm from which the allotment (or part of an allotment) is leased during the period of such lease, and the producer on such farm shall so agree as a condition precedent to the Secretary's approval of any such sale or lease; and (vii) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county to which such transfer is made and such committee determines that the transfer complies with the provisions of this section. Such record may be filed with such committee only during the period beginning June 1 and ending December 31.

"(c) The transfer of an allotment shall have the effect of transferring also the acreage history, farm base, and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right of the owner or operator to have an allotment determined for the farm for such year: *Provided*, That in the case of a transfer by lease, the amount of the allotment shall be considered for purposes of determining allotments after the expiration of the lease to have been planted on the farm from which such allotment is transferred.

"(d) The land in the farm from which the entire cotton allotment and acreage history have been transferred shall not be eligible for a new farm cotton allotment during the five years following the year in which such transfer is made.

"(e) The transfer of a portion of a farm allotment which was established under minimum farm allotment provisions for cotton or which operates to bring the farm within the minimum farm allotment provision for cotton shall cause the minimum farm allotment or base to be reduced to an amount equal to the allotment remaining on the farm after such transfer.

Regulations.

"(f) The Secretary shall prescribe regulations for the administration of this section, which shall include provisions for adjusting the size of the allotment transferred if the farm to which the allotment is

transferred has a substantially higher yield per acre and such other terms and conditions as he deems necessary.

"(g) If the sale or lease occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, cropland adjustment agreement, or other similar land utilization agreement, the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the allotment is transferred.

"(h) The Secretary shall by regulations authorize the exchange between farms in the same county, or between farms in adjoining counties within a State, of cotton acreage allotment for rice acreage allotment. Any such exchange shall be made on the basis of application filed with the county committee by the owners and operators of the farms, and the transfer of allotment between the farms shall include transfer of the related acreage history for the commodity. The exchange shall be acre for acre or on such other basis as the Secretary determines is fair and reasonable, taking into consideration the comparative productivity of the soil for the farms involved and other relevant factors. No farm from which the entire cotton or rice allotment has been transferred shall be eligible for an allotment of cotton or rice as a new farm within a period of five crop years after the date of such exchange.

"(i) The provisions of this section relating to cotton shall apply only to upland cotton."

TITLE V—WHEAT

SEC. 501. Effective beginning with the crop planted for harvest in the calendar year 1966, the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(1) Section 332 is amended by changing item (iv) in subsection (b) to read: "will be utilized during such marketing year in the United States as livestock (including poultry) feed, excluding the estimated quantity of wheat which will be utilized for such purpose as a result of the substitution of wheat for feed grains under section 328 of the Food and Agriculture Act of 1962" and by adding the following new subsection: 76 Stat. 619. 7 USC 1332. 76 Stat. 631. 7 USC 1339c.

"(d) Notwithstanding any other provision of this Act, the Secretary shall not proclaim a national marketing quota for the crops of wheat planted for harvest in the calendar years 1966 through 1969, and farm marketing quotas shall not be in effect for such crops of wheat."

(2) Section 333 is amended to read as follows: "The Secretary shall proclaim a national acreage allotment for each crop of wheat. The amount of the national acreage allotment for any crop of wheat shall be the number of acres which the Secretary determines on the basis of the projected national yield and expected underplantings (acreage other than that not harvested because of program incentives) of farm acreage allotments will produce an amount of wheat equal to the national marketing quota for wheat for the marketing year for such crop, or if a national marketing quota was not proclaimed, the quota which would have been determined if one had been proclaimed. 76 Stat. 620. 7 USC 1333.

(3) Subsection (a) of section 334 is amended to read as follows: 52 Stat. 53. 7 USC 1334.

"(a) The national allotment for wheat, less a reserve of not to exceed 1 per centum thereof for apportionment as provided in this subsection and less the special acreage reserve provided for in this subsection, shall be apportioned by the Secretary among the States on the basis of the preceding year's allotment for each such State, including all amounts allotted to the State and including for 1967 the increased National allotment.

76 Stat. 621.
7 USC 1335.

acreage in the State allotted for 1966 under section 335, adjusted to the extent deemed necessary by the Secretary to establish a fair and equitable apportionment base for each State, taking into consideration established crop rotation practices, estimated decrease in farm allotments because of loss of history, and other relevant factors. The reserve acreage set aside herein for apportionment by the Secretary shall be used to make allotments to counties in addition to the county allotments made under subsection (b) of this section, on the basis of the relative needs of counties for additional allotments because of reclamation and other new areas coming into production of wheat. There also shall be made available a special acreage reserve of not in excess of one million acres as determined by the Secretary to be desirable for the purposes hereof which shall be in addition to the national acreage reserve provided for in this subsection. Such special acreage reserve shall be made available to the States to make additional allotments to counties on the basis of the relative needs of counties, as determined by the Secretary, for additional allotments to make adjustments in the allotments on old wheat farms (that is, farms on which wheat has been seeded or regarded as seeded to one or more of the three crops immediately preceding the crop for which the allotment is established) on which the ratio of wheat acreage allotment to cropland on the farm is less than one-half the average ratio of wheat acreage allotment to cropland on old wheat farms in the county. Such adjustments shall not provide an allotment for any farm which would result in an allotment-cropland ratio for the farm in excess of one-half of such county average ratio and the total of such adjustments in any county shall not exceed the acreage made available therefor in the county. Such apportionment from the special acreage reserve shall be made only to counties where wheat is a major income-producing crop, only to farms on which there is limited opportunity for the production of an alternative income-producing crop, and only if an efficient farming operation on the farm requires the allotment of additional acreage from the special acreage reserve. For the purposes of making adjustments hereunder the cropland on the farm shall not include any land developed as cropland subsequent to the 1963 crop year."

52 Stat. 54.
7 USC 1334.
Apportionment among counties.

(4) Subsection (b) of section 334 is amended to read as follows:

"(b) The State acreage allotment for wheat, less a reserve of not to exceed 3 per centum thereof for apportionment as provided in subsection (c) of this section, shall be apportioned by the Secretary among the counties in the State, on the basis of the preceding year's wheat allotment in each such county, including for 1967 the increased acreage in the county allotted for 1966 pursuant to section 335, adjusted to the extent deemed necessary by the Secretary in order to establish a fair and equitable apportionment base for each county, taking into consideration established crop rotation practices, estimated decrease in farm allotments because of loss of history, and other relevant factors."

(5) Subsection (c) of section 334 is amended by adding new paragraphs (3) and (4) to read as follows:

"(3) Notwithstanding the provisions of paragraph (1) of this subsection, the past acreage of wheat for 1967 and any subsequent year shall be the acreage of wheat planted, plus the acreage regarded as planted, for harvest as grain on the farm which is not in excess of the farm acreage allotment.

"(4) Notwithstanding any other provision of this subsection (c), the farm acreage allotment for the 1967 and any subsequent crop of wheat shall be established for each old farm by apportioning the county wheat acreage allotment among farms in the county on which

wheat has been planted, or is considered to have been planted, for harvest as grain in any one of the three years immediately preceding the year for which allotments are determined on the basis of past acreage of wheat and the farm acreage allotment for the year immediately preceding the year for which the allotment is being established, adjusted as hereinafter provided. For purposes of this paragraph, the acreage allotment for the immediately preceding year may be adjusted to reflect established crop-rotation practices, may be adjusted downward to reflect a reduction in the tillable acreage on the farm, and may be adjusted upward to reflect such other factors as the Secretary determines should be considered for the purpose of establishing a fair and equitable allotment: *Provided*, That (i) for the purposes of computing the allotment for any year, the acreage allotment for the farm for the immediately preceding year shall be decreased by 7 per centum if for the year immediately preceding the year for which such reduction is made neither a voluntary diversion program nor a voluntary certificate program was in effect and there was noncompliance with the farm acreage allotment for such year; (ii) for purposes of clause (i), any farm on which the entire amount of farm marketing excess is delivered to the Secretary, stored, or adjusted to zero in accordance with applicable regulations to avoid or postpone payment of the penalty when farm marketing quotas are in effect, shall be considered in compliance with the allotment, but if any part of the amount of wheat so stored is later depleted and penalty becomes due by reason of such depletion, the allotment for such farm next computed after determination of such depletion shall be reduced by reducing the allotment for the immediately preceding year by 7 per centum; and (iii) for purposes of clause (i) if the Secretary determines that the reduction in the allotment does not provide fair and equitable treatment to producers on farms following special crop rotation practices, he may modify such reduction in the allotment as he determines to be necessary to provide fair and equitable treatment to such producers."

(6) Subsection (d) of section 334 is repealed. Repeal.

(7) Subsection (g) of section 334 is amended by striking out the language "except as prescribed in the provisos to the first sentence of subsections (a) and (b), respectively, of this section" in the first sentence. 74 Stat. 39. 7 USC 1334. 71 Stat. 477; 72 Stat. 80; 76 Stat. 620.

(8) Section 335 is amended by adding at the end thereof the following: "This section shall not be applicable to the crops planted for harvest in 1967 and subsequent years." 76 Stat. 621. 7 USC 1335.

(9) Section 339(b) is amended (1) by striking out "1964 and 1965 crops of wheat" and substituting "crops of wheat planted for harvest in the calendar years 1964 through 1969"; and, (2) by striking out of the third sentence "20 per centum of the farm acreage allotment" and "fifteen acres" and substituting "50 per centum of the farm acreage allotment" and "twenty-five acres", respectively. 7 USC 1339.

(10) Section 339(e) is amended to read as follows: "(e) The Secretary may permit all or any part of the diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, and flaxseed, if he determines that such production of the commodity is needed to provide an adequate supply, is not likely to increase the cost of the price-support program and will not adversely affect farm income, subject to the condition that payment with respect to diverted acreage devoted to any such crop shall be at a rate determined by the Secretary to be fair and reasonable taking into consideration the use of such acreage for the production of such crops: *Provided*, That in no event shall Diverted acreage.

the payment exceed one-half the rate which otherwise would be applicable if such acreage were devoted to conservation uses."

SEC. 502. Effective only with respect to the crops of wheat planted for harvest in the calendar years 1966 through 1969, and the marketing years for such crops, section 379b is amended to read as follows:

78 Stat. 179.
7 USC 1379b.

"SEC. 379b. A wheat marketing allocation program as provided in this subtitle shall be in effect for the marketing years for the crops planted for harvest in the calendar years 1966 through 1969. Whenever a wheat marketing allocation program is in effect for any marketing year the Secretary shall determine (1) the wheat marketing allocation for such year which shall be the amount of wheat he estimates will be used during such year for food products for consumption in the United States, but the amount of wheat included in the marketing allocation for food products for consumption in the United States shall not be less than five hundred million bushels, and (2) the national allocation percentage for such year which shall be the percentage which, when applied to the farm as provided in this section, will result in marketing certificates being issued to producers in the amount of the national wheat marketing allocation. The cost of any domestic marketing certificates issued to producers in excess of the number of certificates acquired by processors as a result of the application of the five hundred million bushel minimum or an overestimate of the amount of wheat used during such year for food products for consumption in the United States shall be borne by Commodity Credit Corporation. Each farm shall receive a wheat marketing allocation for such marketing year equal to the number of bushels obtained by multiplying the number of acres in the farm acreage allotment for wheat by the projected farm yield, and multiplying the resulting number of bushels by the national allocation percentage."

SEC. 503. Effective beginning with the 1970 crop, section 379b is amended by striking out "normal yield of wheat for the farm as determined by the Secretary" and substituting "projected farm yield".

78 Stat. 181.
7 USC 1379d.

SEC. 504. (a) Effective upon the enactment of this Act, section 379d(b) is amended by striking out the third sentence and substituting the following: "The Secretary may exempt from the requirements of this subsection wheat exported for donation abroad and other noncommercial exports of wheat, wheat processed for use on the farm where grown, wheat produced by a State or agency thereof and processed for use by the State or agency thereof, wheat processed for donation, and wheat processed for uses determined by the Secretary to be noncommercial. Such exemptions may be made applicable with respect to any wheat processed or exported beginning July 1, 1964. There shall be exempt from the requirements of this subsection beverage distilled from wheat prior to July 1, 1964. A beverage distilled from wheat after July 1, 1964, shall be deemed to be removed for sale or consumption at the time it is placed in barrels for aging except that upon the giving of a bond as prescribed by the Secretary, the purchase of and payment for such marketing certificates as may be required may be deferred until such beverage is bottled for sale. Wheat shipped to a Canadian port for storage in bond, or storage under a similar arrangement, and subsequent exportation, shall be deemed to have been exported for purposes of this subsection when it is exported from the Canadian port."

Flour second clears.

(b) Section 379d(d) is amended by inserting after the word "flour" the following: "(excluding flour second clears not used for human consumption as determined by the Secretary)", and by inserting at the end thereof the following: "The Secretary may at his election administer the exemption for wheat processed into flour second clears through refunds either to processors of such wheat or to the users

of such clears. For the purpose of such refunds, the wheat equivalent of flour second clears may be determined on the basis of conversion factors authorized by section 379f of the Agricultural Adjustment Act of 1938, even though certificates had been surrendered on the basis of the weight of the wheat." 76 Stat. 629. 7 USC 1379f.

This subsection shall be effective as to products sold, or removed for sale or consumption on or after sixty days following enactment of this Act, unless the Secretary shall by regulation designate an earlier effective date within such sixty-day period. Effective date.

(c) Section 379d(b) is amended by adding at the end thereof the following: "Whenever the face value per bushel of domestic marketing certificates for a marketing year is different from the face value of domestic marketing certificates for the preceding marketing year, the Secretary may require marketing certificates issued for the preceding marketing year to be acquired to cover all wheat processed into food products during such preceding marketing year even though the food product may be marketed or removed for sale or consumption after the end of the marketing year." 78 Stat. 181. 7 USC 1379d.

(d) Section 379g is amended by inserting "(a)" after "SEC. 379g" and adding a new subsection (b) as follows: 76 Stat. 629. 7 USC 1379g.

"(b) Whenever the face value per bushel of domestic marketing certificates for a marketing year is substantially different from the face value of domestic marketing certificates for the preceding marketing year, the Secretary is authorized to take such action as he determines necessary to facilitate the transition between marketing years. Notwithstanding any other provision of this subtitle, such authority shall include, but shall not be limited to, the authority to sell certificates to persons engaged in the processing of wheat into food products covering such quantities of wheat, at such prices, and under such terms and conditions as the Secretary may by regulation provide. Any such certificate shall be issued by Commodity Credit Corporation."

SEC. 505. The Agricultural Act of 1964 is amended as follows:

(1) Amendment (7) of section 202 is amended by striking out "1964 and 1965" and substituting "the calendar years 1964 through 1969". 78 Stat. 179. 7 USC 1339 note.

(2) Amendment (13) of section 202 is amended by striking out "only with respect to the crop planted for harvest in the calendar year 1965" and substituting "with respect to the crops planted for harvest in the calendar years 1965 through 1969". 7 USC 1379c note.

(3) Section 204 is amended by striking out "1964 and 1965" and substituting "1964 through 1969". 7 USC 1427 note.

SEC. 506. Effective only with respect to the 1966 through 1969 crops, section 107 of the Agricultural Act of 1949, as amended (7 U.S.C. 1445a), is amended to read as follows: 78 Stat. 182.

"SEC. 107. Notwithstanding the provisions of section 101 of this Act, for any marketing year— 63 Stat. 1051. 7 USC 1441.

"(1)(a) Price support for wheat accompanied by domestic certificates shall be at 100 per centum of the parity price or as near thereto as the Secretary determines practicable, and (b) price support for wheat not accompanied by marketing certificates shall be at such level, not in excess of the parity price therefor, as the Secretary determines appropriate, taking into consideration competitive world prices of wheat, the feeding value of wheat in relation to feed grains, and the level at which price support is made available for feed grains,

"(2) notwithstanding the provisions of paragraph (1), for the 1966 crop, price support for wheat accompanied by domestic marketing certificates shall be at 100 per centum of the parity price therefor, and price support for wheat not accompanied by mar-

keting certificates shall be not less than $1.25 per bushel. For any crop of wheat planted for harvest during the calendar years 1967 through 1969 for which the diversion factor established pursuant to section 339(a) of the Agricultural Adjustment Act of 1938, as amended, is not less than 10 per centum, the total average rate of return per bushel made available to a cooperator on the estimated production of his allotment based on projected yield through loans, domestic marketing certificates, estimated returns from export marketing certificates, and diversion payments for acreage diverted pursuant to section 339(a) of the Agricultural Adjustment Act of 1938, as amended, shall not be less than the total average rate of return per bushel made available to cooperators through loans and domestic marketing certificates for the 1966 crop.

76 Stat. 622; 78 Stat. 179. 7 USC 1339.

"(3) Price support shall be made available only to cooperators, and

"Cooperator."

"(4) A 'cooperator' with respect to any crop of wheat produced on a farm shall be a producer who (i) does not knowingly exceed (A) the farm acreage allotment for wheat on the farm or (B) except as the Secretary may by regulation prescribe, the farm acreage allotment for wheat on any other farm on which the producer shares in the production of wheat, and (ii) complies with the land-use requirements of section 339 of the Agricultural Adjustment Act of 1938, as amended, to the extent prescribed by the Secretary. No producer shall be deemed to have exceeded a farm acreage allotment for wheat if the production on the acreage in excess of the farm acreage allotment is stored pursuant to the provisions of section 379c(b), but the producer shall not be eligible to receive price support on the wheat so stored."

76 Stat. 627; 78 Stat. 180. 7 USC 1379c.

SEC. 507. Effective beginning with the crop planted for harvest in the calendar year 1967, section 339(a)(1) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting after the words "national acreage allotment", wherever they appear, the following: "(less an acreage equal to the increased acreage allotted for 1966 pursuant to section 335)".

76 Stat. 621. 7 USC 1335.

SEC. 508. Effective beginning with the crop planted for harvest in the calendar year 1966, section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting before the period at the end of the third sentence thereof a semicolon and the following: "except that in any case in which the Secretary determines that such basis would not be fair and equitable, the Secretary shall provide for such sharing on such other basis as he may determine to be fair and equitable.", and by adding at the end thereof the following: "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. Producers on any farm who have planted not less than 90 per centum of the acreage of wheat required to be planted in order to earn the full amount of marketing certificates for which the farm is eligible shall be deemed to have planted the entire acreage required to be planted for that purpose."

SEC. 509. Section 301(b) of the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

52 Stat. 38. 7 USC 1301.

(1) Paragraph (8) is amended by inserting "(A)" after "(8)" and adding the following new subparagraph:

"Projected national yield."

"(B) 'Projected national yield' as applied to any crop of wheat shall be determined on the basis of the national yield per harvested acre of the commodity during each of the five calendar years immedi-

ately preceding the year in which such projected national yield is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields and for any significant changes in production practices."

(2) Paragraph (13) is amended by adding the following new subparagraphs: 52 Stat. 38. 7 USC 1301.

"(J) 'Projected county yield' for any crop of wheat shall be determined on the basis of the yield per harvested acre of such commodity in the county during each of the five calendar years immediately preceding the year in which such projected county yield is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields and for any significant changes in production practices. "Projected county yield."

"(K) 'Projected farm yield' for any crop of wheat shall be determined on the basis of the yield per harvested acre of such commodity on the farm during each of the three calendar years immediately preceding the year in which such projected farm yield is determined, adjusted for abnormal weather conditions affecting such yield, for trends in yields and for any significant changes in production practices, but in no event shall such projected farm yield be less than the normal yield for such farm as provided in subparagraph (E) of this paragraph." "Projected farm yield." 70 Stat. 212.

SEC. 510. (a) Section 379c(b) of the Agricultural Adjustment Act of 1938, as amended, is amended, effective beginning with the 1966 crop, by striking out of the fifth sentence the words "normal yield of wheat per acre established for the farm" and substituting therefor the words "projected farm yield". 76 Stat. 627; 78 Stat. 180. 7 USC 1379c.

(b) Section 379i of the Agricultural Adjustment Act of 1938, as amended, is amended, effective as of the effective date of the original enactment of that section, by inserting in subsections (a) and (b) after the word "who", wherever it appears, the word "knowingly". 7 USC 1379i.

SEC. 511. (a) Effective beginning with the crop planted for harvest in 1966, paragraph (9) of section 301(b) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out "cotton" and "wheat" and by adding at the end thereof the following: "'Normal production' as applied to any number of acres of cotton or wheat means the projected farm yield times such number of acres."

(b) Public Law 74, Seventy-seventh Congress, as amended, is amended by changing the words "normal yield of wheat per acre established for the farm" in paragraph (1) to the words "projected farm yield". 76 Stat. 624. 7 USC 1340.

SEC. 512. The national, State, county, and farm acreage allotments for the 1966 crop of wheat shall be established in accordance with the provisions of law in effect prior to the enactment of this Act.

SEC. 513. (a) Section 379d(b) of the Agricultural Adjustment Act of 1938 is amended by striking out the second sentence and substituting the following: "The cost of the export marketing certificates per bushel to the exporter shall be that amount determined by the Secretary on a daily basis which would make United States wheat and wheat flour generally competitive in the world market, avoid disruption of world market prices, and fulfill the international obligations of the United States." 78 Stat. 181. 7 USC 1379d.

(b) Section 379c(a) of such Act is amended by striking out everything in the next to the last sentence beginning with the words "United States" and substituting the following: "United States. The Secretary shall also provide for the issuance of export marketing certificates to eligible producers at the end of the marketing year on a pro rata basis. For such purposes, the value per bushel of export marketing certificates shall be an average of the total net proceeds from the sale of export marketing certificates during the marketing year after

deducting the total amount of wheat export subsidies paid to exporters."

78 Stat. 181. 7 USC 1379c.

(c) Section 379c(c) of such Act is amended by striking out "and the face value per bushel of export certificates shall be the amount by which the level of price support for wheat accompanied by export certificates exceeds the level of price support for noncertificate wheat".

76 Stat. 631. 7 USC 1339c.

SEC. 514. Section 328 of the Food and Agriculture Act of 1962 is amended by adding to the end thereof the following: "In establishing terms and conditions for permitting wheat to be planted in lieu of oats and rye, the Secretary may take into account the number of feed units per acre of wheat in relation to the number of feed units per acre of oats and rye."

76 Stat. 627.

SEC. 515. Section 379c of the Agricultural Adjustment Act of 1938, as amended, is amended, effective beginning with the crop planted for harvest in the calendar year 1964, by adding the following subsection:

"(e) In any case in which the failure of a producer to comply fully with the terms and conditions of the programs formulated under this Act preclude the issuance of marketing certificates, the Secretary may, nevertheless, issue such certificates in such amounts as he determines to be equitable in relation to the seriousness of the default."

7 USC 1379e.

SEC. 516. Section 379e of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this Act, Commodity Credit Corporation shall sell marketing certificates for the marketing years for the 1966 through the 1969 wheat crops to persons engaged in the processing of food products at the face value thereof less any amount by which price support for wheat accompanied by domestic certificates exceeds $2 per bushel."

Wheat, disposal for relief purposes.

SEC. 517. Subsection (b) of section 379c of the Agricultural Adjustment Act of 1938 is amended by inserting immediately preceding the words "stored" wherever it appears, in the fourth through the sixth sentences, the words "delivered to the Secretary or", and by adding at the end thereof the following: "Any wheat delivered to the Secretary hereunder shall become the property of the United States and shall be disposed of by the Secretary for relief purposes in the United States or in foreign countries or in such other manner as he shall determine will divert it from the normal channels of trade and commerce. Notwithstanding any other provision of this Act, the Secretary may provide that a producer shall not be eligible to receive marketing certificates, or may adjust the amount of marketing certificates to be received by the producer, with respect to any farm for any year in which a variety of wheat is planted on the farm which has been determined by the Secretary, after consultation with State Agricultural Experiment Stations, agronomists, cereal chemists and other qualified technicians, to have undesirable milling or baking qualities and has made public announcement thereof."

TITLE VI—CROPLAND ADJUSTMENT

Repeal. 70 Stat. 188. 7 USC 1801 note.

SEC. 601. The Soil Bank Act of 1956, as amended, is hereby repealed, except that it shall remain in effect with respect to contracts entered into prior to such repeal.

Agreements with producers.

SEC. 602. (a) Notwithstanding any other provision of law, for the purpose of reducing the costs of farm programs, assisting farmers in turning their land to nonagricultural uses, promoting the development and conservation of the Nation's soil, water, forest, wildlife, and recreational resources, establishing, protecting, and conserving open spaces and natural beauty, the Secretary of Agriculture is authorized to formulate and carry out a program during the calendar

years 1965 through 1969 under which agreements would be entered into with producers as hereinafter provided for periods of not less than five nor more than ten years. No agreement shall be entered into under this section concerning land with respect to which the ownership has changed in the three-year period preceding the first year of the agreement period unless the new ownership was acquired by will or succession as a result of the death of the previous owner, or unless the new ownership was acquired prior to January 1, 1965, under other circumstances which the Secretary determines, and specifies by regulation, will give adequate assurance that such land was not acquired for the purpose of placing it in the program: *Provided*, That this provision shall not be construed to prohibit the continuation of an agreement by a new owner after an agreement has once been entered into under this section: *Provided further*, That the Secretary shall not require a person who has operated the land to be covered by an agreement under this section for as long as three years preceding the date of the agreement and who controls the land for the agreement period to own the land as a condition of eligibility for entering into the agreement."

Land use.

(b) The producer shall agree (1) to carry out on a specifically designated acreage of land on the farm regularly used in the production of crops (including crops, such as tame hay, alfalfa, and clovers, which do not require annual tillage and which have been planted within five years preceding the date of the agreement), hereinafter called "designated acreage", and maintain for the agreement period practices or uses which will conserve soil, water, or forest resources, or establish or protect or conserve open spaces, natural beauty, wildlife or recreational resources, or prevent air or water pollution, in such manner as the Secretary may prescribe (priority being given to the extent practicable to practices or uses which are most likely to result in permanent retirement to noncrop uses); (2) to maintain in conserving crops or uses or allow to remain idle throughout the agreement period the acreage normally devoted to such crops or uses; (3) not to harvest any crop from or graze the designated acreage during the agreement period, unless the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for grazing or harvesting of such acreage, determines that it is necessary to permit grazing or harvesting in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster, and consents to such grazing or harvesting subject to an appropriate reduction in the rate of payment; and (4) to such additional terms and conditions as the Secretary determines are desirable to effectuate the purposes of the program, including such measures as the Secretary may deem appropriate to keep the designated acreage free from erosion, insects, weeds, and rodents. Agreements entered into under which 1966 is the first year of the agreement period (A) shall require the producer to divert from production all of one or more crops designated by the Secretary; and (B) shall not provide for diversion from the production of upland cotton in any county in which the county committee by resolution determines, and requests of the Secretary, that there should not be such diversion in 1966.

Federal costs.

(c) Under such agreements the Secretary shall (1) bear such part of the average cost (including labor) for the county or area in which the farm is situated of establishing and maintaining authorized practices or uses on the designated acreage as the Secretary determines to be necessary to effectuate the purposes of the program, but not to exceed the average rate for comparable practices or uses under the agricultural conservation program, and (2) make an annual adjustment payment to the producer for the period of the agreement at

Annual adjustment payment.

such rate or rates as the Secretary determines to be fair and reasonable in consideration of the obligations undertaken by the producers. The rate or rates of annual adjustment payments as determined hereunder may be increased by an amount determined by the Secretary to be appropriate in relation to the benefit to the general public of the use of the designated acreage if the producer further agrees to permit, without other compensation, access to such acreage by the general public, during the agreement period, for hunting, trapping, fishing, and hiking, subject to applicable State and Federal regulations. The Secretary and the producer may agree that the annual adjustment payments for all years of the agreement period shall be made either upon approval of the agreement or in such installments as they may agree to be desirable: *Provided*, That for each year any annual adjustment payment is made in advance of performance, the annual adjustment payment shall be reduced by 5 per centum. The Secretary may provide for adjusting any payment on account of failure to comply with the terms and conditions of the program.

Advertising and bid procedures.

(d) The Secretary shall, unless he determines that such action will be inconsistent with the effective administration of the program, use an advertising and bid procedure in determining the lands in any area to be covered by agreements. The total acreage placed under contract in any county or local community shall be limited to a percentage of the total eligible acreage in such county or local community which the Secretary determines would not adversely affect the economy of the county or local community. In determining such percentage the Secretary shall give appropriate consideration to the productivity of the acreage being retired as compared to the average productivity of eligible acreage in the county or local community.

Annual adjustment payment, limitation.

(e) The annual adjustment payment shall not exceed 40 per centum of the estimated value, as determined by the Secretary, on the basis of prices in effect at the time the agreement is entered into, of the crops or types of crops which might otherwise be grown. The estimated value may be established by the Secretary on a county, area, or individual farm basis as he deems appropriate.

Agreements, termination or modification.

(f) The Secretary may terminate any agreement with a producer by mutual agreement with the producer if the Secretary determines that such termination would be in the public interest, and may agree to such modification of agreements as he may determine to be desirable to carry out the purposes of the program or facilitate its administration.

Allotment histories.

(g) Notwithstanding any other provision of law, the Secretary of Agriculture may, to the extent he deems it desirable, provide by appropriate regulations for preservation of cropland, crop acreage, and allotment history applicable to acreage diverted from the production of crops in order to establish or maintain vegetative cover or other approved practices for the purpose of any Federal program under which such history is used as a basis for an allotment or other limitation or for participation in such program. Subsections (b) (3) and (4) and (e) (6) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended, are repealed, except that all rights accruing thereunder to persons who entered into contracts or agreements prior to such repeal shall be preserved.

Repeal.

74 Stat. 1030; 76 Stat. 606. 16 USC 590p.

(h) In carrying out the program, the Secretary shall utilize the services of local, county, and State committees established under section 8 of the Soil Conservation and Domestic Allotment Act, as amended.

52 Stat. 31. 16 USC 590h.

(i) For the purpose of obtaining an increase in the permanent retirement of cropland to noncrop uses the Secretary may, notwithstanding any other provision of law, transfer funds available for

carrying out the program to any other Federal agency or to States or local government agencies for use in acquiring cropland for the preservation of open spaces, natural beauty, the development of wildlife or recreational facilities, or the prevention of air or water pollution under terms and conditions consistent with and at costs not greater than those under agreements entered into with producers, provided the Secretary determines that the purposes of the program will be accomplished by such action.

(j) The Secretary also is authorized to share the cost with State and local governmental agencies in the establishment of practices or uses which will establish, protect, and conserve open spaces, natural beauty, wildlife or recreational resources, or prevent air or water pollution under terms and conditions and at costs consistent with those under agreements entered into with producers, provided the Secretary determines that the purposes of the program will be accomplished by such action.

(k) In carrying out the program, the Secretary shall not during any of the fiscal years ending June 30, 1966 through June 30, 1968 or during the period June 30, 1968 through December 31, 1969, enter into agreements with producers which would require payments to producers in any calendar year under such agreements in excess of $225,000,000 plus any amount by which agreements entered into in prior fiscal years require payments in amounts less than authorized for such prior fiscal years. For purposes of applying this limitation, the annual adjustment payment shall be chargeable to the year in which performance is rendered regardless of the year in which it is made.

Commodity Credit Corporation, use of facilities.

(l) The Secretary is authorized to utilize the facilities, services, authorities, and funds of the Commodity Credit Corporation in discharging his functions and responsibilities under this program, including payment of costs of administration: *Provided*, That after December 31, 1966, the Commodity Credit Corporation shall not make any expenditures for carrying out the purposes of this title unless the Corporation has received funds to cover such expenditures from appropriations made to carry out the purposes of this title. There are hereby authorized to be appropriated such sums as may be necessary to carry out the program, including such amounts as may be required to make payments to the Corporation for its actual costs incurred or to be incurred under this program.

(m) In case any producer who is entitled to any payment or compensation dies, becomes incompetent, or disappears before receiving such payment or compensation, or is succeeded by another who renders or completes the required performance, the payment or compensation shall, without regard to any other provisions of law, be made as the Secretary may determine to be fair and reasonable in all the circumstances and so provide by regulations.

(n) The Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers, including provision for sharing, on a fair and equitable basis, in payments or compensation under this program.

(o) The acreage on any farm which is diverted from the production of any commodity pursuant to an agreement hereafter entered into under this title shall be deemed to be acreage diverted from that commodity for the purposes of any commodity program under which diversion is required as a condition of eligibility for price support.

Advisory Board on Wildlife, appointment.

(p) The Secretary may, without regard to the civil service laws, appoint an Advisory Board on Wildlife to advise and consult on matters relating to his functions under this title as he deems appropriate. The Board shall consist of twelve persons chosen from members of wildlife organizations, farm organizations, State game and

fish agencies, and representatives of the general public. Members of such Advisory Board who are not regular full-time employees of the United States shall not be entitled to any compensation or expenses.

(q) The Secretary shall prescribe such regulations as he determines necessary to carry out the provisions of this title.

TITLE VII—MISCELLANEOUS

Commodity or land use, acreage measurement.
52 Stat. 65.
7 USC 1374.

SEC. 701. Section 374(a) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(a) The Secretary shall provide for ascertaining, by measurement or otherwise, the acreage of any agricultural commodity or land use on farms for which the ascertainment of such acreage is necessary to determine compliance under any program administered by the Secretary. Insofar as practicable, the acreage of the commodity and land use shall be ascertained prior to harvest, and, if any acreage so ascertained is not in compliance with the requirements of the program the Secretary, under such terms and conditions as he prescribes, may provide a reasonable time for the adjustment of the acreage of the commodity or land use to the requirements of the program."

68 Stat. 904;
74 Stat. 258.

SEC. 702. Section 374(c) of the Agricultural Adjustment Act of 1938, as amended, is amended by deleting the first sentence thereof.

Tobacco allotments.
77 Stat. 81.
7 USC 1314b.

SEC. 703. Subsection (a) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is amended (i) by striking out of the first sentence thereof "1962, 1963, 1964, and 1965," and inserting "1962 through 1969" and (ii) by striking out of the last sentence thereof "1964 or 1965" and inserting "1964 through 1969".

75 Stat. 469;
Ante, p. 66.
7 USC 1314c.

Notwithstanding the provisions of subsection 316(c) and subsection 317(f) relating to lease and transfer of allotments for years subsequent to 1965, of the Agricultural Adjustment Act of 1938, as amended, whenever acreage-poundage quotas are in effect for any kind of tobacco as provided in section 317 of the Act, except in the case of burley tobacco, and other kinds of tobacco not subject to section 316, the lease and transfer shall be on a pound for pound basis and the acreage allotment for the lessee farm shall be increased by an amount determined by dividing the number of pounds leased by the farm yield for the lessee farm, and the acreage allotment for the lessor farm shall be reduced by an amount determined by dividing the number of pounds leased by the farm yield for the lessor farm.

Peanuts, definition.

SEC. 704. The last paragraph of the Act entitled "An Act to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, and for other purposes", approved August 13, 1957 (7 U.S.C. 1359 note), is amended to read as follows:

71 Stat. 344;
77 Stat. 92.

"This amendment shall be effective for the 1957 through 1969 crops of peanuts."

Parity income study.

SEC. 705. The Secretary of Agriculture shall make a study of the parity income position of farmers, including the development of criteria for measuring parity income of commercial family farmers and the feasibility of adapting such criteria to major types of farms and to selected counties. The Secretary shall report the results of such study to the Congress not later than June 30, 1966.

Report to Congress.

Transfer of allotments, etc.

SEC. 706. Notwithstanding any other provision of law, the Secretary, upon the request of any agency of any State charged with the administration of the public lands of the State, may permit the transfer of acreage allotments or feed grain bases together with relevant production histories which have been determined pursuant to the Agricultural Adjustment Act of 1938, as amended, or section 16 of

the Soil Conservation and Domestic Allotment Act, as amended, from any farm composed of public lands to any other farm or farms in the same county composed of public lands: *Provided*, That as a condition for the transfer of any allotment or base an acreage equal to or greater than the allotment or base transferred prior to adjustment, if any, shall be devoted to and maintained in permanent vegetative cover on the farm from which the transfer is made. The Secretary shall prescribe regulations which he deems necessary for the administration of this section, which may provide for adjusting downward the size of the allotment or base transferred if the farm to which the allotment or base is transferred normally has a higher yield per acre for the commodity for which the allotment or base is determined, for reasonable limitations on the size of the resulting allotments and bases on farms to which transfers are made, taking into account the size of the allotments and bases on farms of similar size in the community, and for retransferring allotments or bases and relevant histories if the conditions of the transfer are not fulfilled.

SEC. 707. The Agricultural Adjustment Act of 1938, as amended, is amended by inserting after section 378 the following new section: 52 Stat. 31. 7 USC 1281.

"RECONSTITUTION OF FARMS

"SEC. 379. In any case in which the ownership of a tract of land is transferred from a parent farm, the acreage allotments, history acreages, and base acreages for the farm shall be divided between such tract and the parent farm in the same proportion that the cropland acreage in such tract bears to the cropland acreage in the parent farm, except that the Secretary shall provide by regulation the method to be used in determining the division, if any, of the acreage allotments, histories, and bases in any case in which—

"(1) the tract of land transferred from the parent farm has been or is being transferred to any agency having the right to acquire it by eminent domain;

"(2) the tract of land transferred from the parent farm is to be used for nonagricultural purposes;

"(3) the parent farm resulted from a combination of two or more tracts of land and records are available showing the contribution of each tract to the allotments, histories, and bases of the parent farm;

"(4) the appropriate county committee determines that a division based on cropland proportions would result in allotments and bases not representative of the operations normally carried out on any transferred tract during the base period; or

"(5) the parent farm is divided among heirs in settling an estate.

"(6) neither the tract transferred from the parent farm nor the remaining portion of the parent farm receives allotments in excess of allotments for similar farms in the community having allotments of the commodity or commodities involved and such allotments are consistent with good land uses, but this clause (6) shall not be applicable in the case of burley tobacco."

SEC. 708. Notwithstanding any other provision of law, in the determination of farm yields the Secretary may use projected yields in lieu of normal yields. In the determination of such yields the Secretary shall take into account the actual yield proved by the producer for the base period used in determining the projected yield, and the pro- Projected yields.

jected yield shall not be less than such actual yield proved by the producer.

Dairy products.

SEC. 709. The Secretary of Agriculture is hereby authorized to use funds of the Commodity Credit Corporation to purchase sufficient supplies of dairy products at market prices to meet the requirements of any programs for the schools (other than fluid milk in the case of schools), domestic relief distribution, community action, foreign distribution, and such other programs as are authorized by law, when there are insufficient stocks of dairy products in the hands of Commodity Credit Corporation available for these purposes.

TITLE VIII—RICE

Acreage diversion program.
63 Stat. 1059;
69 Stat. 45;
70 Stat. 205.
7 USC 1353.

SEC. 801. Section 353(c) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new paragraph at the end thereof:

"(7) If the national acreage allotment for rice for 1966, 1967, 1968, or 1969 is less than the national acreage allotment for rice for 1965, the Secretary shall formulate and carry out an acreage diversion program for rice for such year designed to support the gross income of rice producers at a level not lower than that for 1965, minus any reduction in production costs resulting from the reduced rice acreage. Under such program conservation payments shall be made to producers who comply with their rice acreage allotments, devote to an approved conservation use an acreage of cropland on the farm equal to the number of acres determined by multiplying the farm acreage allotment by the diversion factor, and comply with such additional terms and conditions as the Secretary may prescribe. The diversion factor shall be determined by dividing the number of acres by which the national acreage allotment is reduced below the national acreage allotment for 1965 by the number of acres in the national acreage allotment. Notwithstanding the foregoing provisions, the Secretary may permit all or any part of such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, and flaxseed, if he determines that such production is not likely to increase the cost of the price-support program and will not adversely affect farm income, subject to the condition that payment with respect to diverted acreage devoted to any such crops shall be at a rate determined by the Secretary to be fair and reasonable, taking into consideration the use of such acreage for the production of such crops; but in no event shall the payment exceed one-half the rate which otherwise would be applicable if such acreage were devoted to conservation uses. Such program shall require the producer to take such measures as the Secretary may deem appropriate to keep such diverted acreage free from erosion, insects, weeds, and rodents. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance. The Secretary shall provide for the sharing of payments under this paragraph among producers on the farm on a fair and equitable basis as determined by the Secretary. The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized in this paragraph and to pay administrative expenses necessary in carrying out this paragraph."

SEC. 802. Section 403 of the Agricultural Act of 1949, as amended, is amended by inserting at the end thereof the following: "In determining support prices for the 1966 and 1967 crops of rice the Secretary shall, notwithstanding the foregoing or any other provision of law, use head and broken rice value factors for the various varieties which (1) are not lower than those used with respect to the 1965 crop, and (2) do not differ as between any two varieties by a greater amount than the value factors used with respect to the 1965 crop for such two varieties differed."

Price support. 63 Stat. 1054; 72 Stat. 993. 7 USC 1423.

Approved November 3, 1965.

Public Law 89-322

AN ACT

November 4, 1965 [H. R. 9047]

To authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both.

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, from either the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) or 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)), or from both such stockpiles (1) approximately two hundred thousand short tons of zinc. The disposals authorized by this section may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, but the time and method of the disposals 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.

Zinc. Disposal.

60 Stat. 596.

73 Stat. 607.

Approved November 4, 1965.

Public Law 89-323

AN ACT

November 5, 1965 [H. R. 10305]

To authorize the disposal, without regard to the prescribed six-month waiting period, of approximately two hundred million pounds of nickel 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 approximately two hundred million pounds of nickel now held in the national stockpile. Such disposal may be made without regard to the provision of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)) that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition required by said section 3(e).

Nickel. Disposal.

60 Stat. 597.

Publication in Federal Register.

Approved November 5, 1965.

Public Law 89-324

November 5, 1965
[H. R. 7812]

AN ACT

To authorize the loan of naval vessels to friendly foreign countries, and for other purposes.

Naval vessels. Loan authorization.

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

TITLE I

70A Stat. 452.

SEC. 101. Notwithstanding section 7307 of title 10, United States Code, or any other law, the President may lend to friendly foreign nations, on such terms and conditions as he deems appropriate, ships from the reserve fleet as follows:

Italy and Spain.

(1) Italy, two submarines, and (2) Spain, one helicopter carrier.

SEC. 102. All expenses involved in the activation, rehabilitation, and outfitting (including repairs, alterations, and logistic support) of vessels transferred under this title shall be charged to funds provided by the recipient government under the reimbursable provisions of the Foreign Assistance Act of 1961, as amended, or successor legislation.

75 Stat. 424. 22 USC 2151 note.

TITLE II

Argentina and Brazil.

SEC. 201. Notwithstanding section 7307 of title 10, United States Code, or any other law, the President may sell or lend, at his discretion, to friendly foreign nations of Latin America from the reserve fleet, on such terms and conditions as he deems appropriate, destroyers as follows:

(1) Argentina, two destroyers, Brazil, three destroyers.

SEC. 202. All expenses involved in the activation, rehabilitation, and outfitting (including repairs, alterations, and logistic support) of vessels transferred under this title shall be charged to funds provided by the recipient government under the reimbursable provisions of the Foreign Assistance Act of 1961, as amended, or successor legislation.

Sale of vessels.
70A Stat. 451.

SEC. 203. Notwithstanding sections 7304 and 7305 of title 10, United States Code, should the President determine that the vessel or vessels shall be sold to the recipient government, said vessel or vessels shall be stricken from the Naval Vessel Register. The vessel or vessels shall be sold at not less than $1,000,000 each over and above any cost of activation, overhaul, or modification. All sales will be made pursuant to the Foreign Assistance Act of 1961, as amended, or successor legislation.

TITLE III

key and the pines.

SEC. 301. Notwithstanding section 7307 of title 10, United States Code, or any other law, the President may lend to friendly foreign nations, on such terms and conditions as he deems appropriate, ships from the reserve fleet as follows:

(1) Turkey, two destroyers, and (2) the Philippines, one destroyer escort.

SEC. 302. All expenses involved in the activation, rehabilitation, and outfitting (including repairs, alterations, and logistic support) of vessels transferred under this title, 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.

TITLE IV

SEC. 401. 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. They 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.

Duration of loans.

SEC. 402. No sale or loan may be made under this Act unless the Secretary of Defense, after consultation with the Joint Chiefs of Staff, determines that such sale or loan is in the best interest of the United States. The Secretary of Defense shall keep the Congress currently advised of all sales or loans made under authority of this Act.

Notice to Congress.

SEC. 403. The President may promulgate such rules and regulations as he deems necessary to carry out the provisions of this Act.

SEC. 404. The authority of the President to sell or lend naval vessels under this Act terminates on December 31, 1967.

Termination date.

Approved November 5, 1965.

Public Law 89-325

JOINT RESOLUTION

November 7, 1965 [H. J. Res. 641]

Authorizing Father Flanagan's Boys' Home to erect a memorial in the District of Columbia or its environs.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Father Flanagan's Boys' Home of Boys Town, Nebraska, is authorized to erect a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of Father Edward J. Flanagan, founder of the world famous home for underprivileged and homeless boys.

D.C. memorial, Father Flanagan's Boys' Home.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia, or its environs, upon which may be erected the memorial authorized in the first section of this joint resolution. If the site selected is on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Board of Commissioners of the District of Columbia shall also be obtained.

Selection of site.

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the Commission of Fine Arts, and the National Capital Planning Commission, and the United States and the District of Columbia shall be put to no expense in the erection thereof.

Design.

SEC. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial.

Conditions.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this joint resolution shall be the responsibility of the Secretary of the Interior.

Maintenance.

Approved November 7, 1965.

Public Law 89-326

November 7, 1965
[H. R. 1778]

AN ACT

To amend the Act entitled "An Act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes", approved May 1, 1906, as amended.

D.C.
Insanitary buildings, condemnation.

68 Stat. 884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d) of section 2 of the Act entitled "An Act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes", approved May 1, 1906 (34 Stat. 157; title 5, chapter 6, D.C. Code, 1961 edition), as amended, is amended by striking "same manner as general taxes are collected in the District of Columbia", and inserting in lieu thereof "manner provided in section 7 of this Act".

Property assessment.
Payment provisions.
D.C. Code 5-622.

SEC. 2. (a) Section 7 of said Act, as amended, is amended (1) by striking "in the same manner as general taxes are collected in the District of Columbia", and inserting in lieu thereof "as provided in this section"; and (2) by inserting immediately before the period at the end of said section the following: ": *Provided further*, That the taxes authorized to be levied and collected under this Act may be paid without interest within sixty days from the date such tax was levied. Interest of one-half of 1 per centum for each month or part thereof shall be charged on all unpaid amounts from the expiration of sixty days from the date such tax was levied. Any such tax may be paid in three equal installments with interest thereon. If any such tax or part thereof shall remain unpaid after the expiration of two years from the date such tax was levied, the property against which said tax was levied may be sold for such tax or unpaid portion thereof with interest and penalties thereon at the next ensuing annual tax sale in the same manner and under the same conditions as property sold for delinquent general real estate taxes, if said tax with interest and penalties thereon shall not have been paid in full prior to said sale".

Sale of property for delinquent taxes.

(b) Any tax levied pursuant to such Act approved May 1, 1906, as amended by the Act approved August 28, 1954, which was levied after the effective date of such Act of August 28, 1954, and prior to the effective date of this section, shall, for the purpose of computing interest thereon, be deemed to have been levied as of the effective date of this section.

Service of notice; methods.
D.C. Code. 5-625.

SEC. 3. Section 10 of such Act, as amended, is amended to read as follows:

"SEC. 10. (a) Any notice required by this Act to be served shall be deemed to have been served when served by any of the following methods: (a) when forwarded to the last known address of the owner as recorded in the real estate assessment records of the District of Columbia by registered or certified mail, with return receipt, and such receipt shall constitute prima facie evidence of service upon such owner if such receipt is signed either by the owner or by a person of suitable age and discretion located at such address: *Provided*, That valid service upon the owner shall be deemed effected if such notice shall be refused by the owner and not delivered for that reason; or (b) when delivered to the person to be notified; or (c) when left at the usual residence or place of business of the person to be notified with a person of suitable age and discretion then resident or employed therein; or (d) if no such residence or place of business can be found in the District of Columbia by reasonable search, then if left with any person of suitable age and discretion employed at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice

relates; or (e) if any such notice forwarded by registered or certified mail be returned for reasons other than refusal, or if personal service of any such notice, as hereinbefore provided, cannot be effected, then if published on three consecutive days in a daily newspaper published in the District of Columbia; or (f) if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, then if served on the owner of record in a manner hereinbefore provided. Any notice to a corporation shall, for the purposes of this Act, be deemed to have been served on such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and notices to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served personally on any agent of such corporation, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia.

"(b) In case such notice is served by any method other than personal service, notice shall also be sent to the owner by ordinary mail."

Approved November 7, 1965.

Public Law 89-327

JOINT RESOLUTION

November 7, 1965
[H. J. Res. 671]

To authorize the President to proclaim the month of November as "Water Conservation Month".

Water Conservation Month, 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 month of November, 1965 as "Water Conservation Month" in recognition of the importance of water conservation to the maintenance of public health and the national economy.

Approved November 7, 1965.

Public Law 89-328

November 7, 1965
[H. R. 5026]

AN ACT

To authorize the Burt County Bridge Commission, a public body politic and corporate in the county of Burt and State of Nebraska, to refund the outstanding revenue bonds of said Burt County Bridge Commission heretofore issued to finance the cost of the construction of a bridge, together with the necessary approaches and appurtenances therefor, from a point located in the city of Decatur, Burt County, Nebraska, across the Missouri River to a point located in Monona County, Iowa.

Burt County Bridge Commission, Nebr.
Refund of revenue bonds, authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Burt County Bridge Commission, a public body politic and corporate in the county of Burt and State of Nebraska, be, and is hereby, authorized to refund the outstanding revenue bonds of said Burt County Bridge Commission heretofore issued to finance the cost of the construction of a bridge, together with the necessary approaches and appurtenances therefor, from a point located in the city of Decatur, Burt County, Nebraska, across the Missouri River to a point located in Monona County, Iowa.

SEC. 2. There is hereby conferred upon said Burt County Bridge Commission, all such authority, rights, and powers as are necessary or required to enable said Burt County Bridge Commission to issue its refunding revenue obligations for the purpose of refunding and refinancing said outstanding revenue bonds, including the payment of reasonable financing costs and expenses in connection with such refunding and refinancing. Said obligations are, in order of priority, as follows: 2,000 series A bonds of par value of $500 each, total value of $1,000,000, bearing interest at 4 per centum per annum, due August 1, 1985, and redeemable at 100 per centum of par value and accrued interest on any interest payment date; 2,000 non-interest-bearing notes in the amount of $375 each, total value of $750,000 due not later than August 1, 2004; and 2,000 series B bonds of par value of $500 each, total value of $1,000,000, bearing no interest, and principal due not later than August 1, 2004.

Tolls, operation, and maintenance.

SEC. 3. In fixing the rates of tolls to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating said bridge and its approaches, under economical management, and to provide a sinking fund sufficient to amortize said refunding revenue obligations. After a sinking fund sufficient for such amortization shall have been so provided, but in any event not later than August 1, 2004, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of such refunding and refinancing, the cost of maintaining, repairing, and operating said bridge and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall provide the Secretary of Commerce with a copy of its semiannual audit report, which shall be subject to review by the Secretary, and who, if he deems necessary, may undertake on-site audits of the Commission's records at no expense to the Commission.

Records.

Audit report.

Approved November 7, 1965.

Public Law 89-329

November 8, 1965
[H. R. 9567]

AN ACT

To strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education.

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 Act of 1965".

Higher Education Act of 1965.

TITLE I—COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS

APPROPRIATIONS AUTHORIZED

SEC. 101. For the purpose of assisting the people of the United States in the solution of community problems such as housing, poverty, government, recreation, employment, youth opportunities, transportation, health, and land use by enabling the Commissioner to make grants under this title to strengthen community service programs of colleges and universities, there are authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1966, and $50,000,000 for the fiscal year ending June 30, 1967, and for the succeeding fiscal year. For the fiscal year ending June 30, 1969, and the succeeding fiscal year, there may be appropriated, to enable the Commissioner to make such grants, only such sums as the Congress may hereafter authorize by law.

DEFINITION OF COMMUNITY SERVICE PROGRAM

SEC. 102. For purposes of this title, the term "community service program" means an educational program, activity, or service, including a research program and a university extension or continuing education offering, which is designed to assist in the solution of community problems in rural, urban, or suburban areas, with particular emphasis on urban and suburban problems, where the institution offering such program, activity, or service determines—

(1) that the proposed program, activity, or service is not otherwise available, and

(2) that the conduct of the program or performance of the activity or service is consistent with the institution's over-all educational program and is of such a nature as is appropriate to the effective utilization of the institution's special resources and the competencies of its faculty.

Where course offerings are involved, such courses must be university extension or continuing education courses and must be—

(A) fully acceptable toward an academic degree, or

(B) of college level as determined by the institution offering such courses.

ALLOTMENTS TO STATES

SEC. 103. (a) Of the sums appropriated pursuant to section 101 for each fiscal year, the Commissioner shall allot $25,000 each to Guam, American Samoa, the Commonwealth of Puerto Rico, and the Virgin Islands and $100,000 to each of the other States, and he shall allot to each State an amount which bears the same ratio to the remainder of such sums as the population of the State bears to the population of all States.

(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required

for such fiscal year for carrying out the State plan (if any) approved under this title shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under such subsection for such year, but with such proportionate amount for any of such 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 for carrying out the State plan; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year from funds appropriated pursuant to section 101 shall be deemed part of its allotment under subsection (a) for such year.

(c) In accordance with regulations of the Commissioner, any State may file with him a request that a specified portion of its allotment under this title be added to the allotment of another State under this title for the purpose of meeting a portion of the Federal share of the cost of providing community service programs under this title. If it is found by the Commissioner that the programs with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the allotment of the other State under this title to be used for the purpose referred to above.

(d) The population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Commerce.

USES OF ALLOTTED FUNDS

SEC. 104. A State's allotment under section 103 may be used, in accordance with its State plan approved under section 105(b), to provide new, expanded, or improved community service programs.

STATE PLANS

SEC. 105. (a) Any State desiring to receive its allotment of Federal funds under this title shall designate or create a State agency or institution which has special qualifications with respect to solving community problems and which is broadly representative of institutions of higher education in the State which are competent to offer community service programs, and shall submit to the Commissioner through the agency or institution so designated a State plan. If a State desires to designate for the purposes of this section an existing State agency or institution which does not meet these requirements, it may do so if the agency or institution takes such action as may be necessary to acquire such qualifications and assure participation of such institutions, or if it designates or creates a State advisory council which meets the requirements not met by the designated agency or institution to consult with the designated agency or institution in the preparation of the State plan. A State plan submitted under this title shall be in such detail as the Commissioner deems necessary and shall—

(1) provide that the agency or institution so designated or created shall be the sole agency for administration of the plan or for supervision of the administration of the plan; and provide that such agency or institution shall consult with any State advisory council required to be created by this section with respect to policy matters arising in the administration of such plan;

(2) set forth a comprehensive, coordinated, and statewide system of community service programs under which funds paid to the State (including funds paid to an institution pursuant to section 106(c)) under its allotments under section 103 will be expended solely for community service programs which have been approved by the agency or institution administering the plan;

(3) set forth the policies and procedures to be followed in allocating Federal funds to institutions of higher education in the State, which policies and procedures shall insure that due consideration will be given—

(A) to the relative capacity and willingness of particular institutions of higher education (whether public or private) to provide effective community service programs;

(B) to the availability of and need for community service programs among the population within the State; and

(C) to the results of periodic evaluations of the programs carried out under this title in the light of information regarding current and anticipated community problems in the State;

(4) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, or funds of institutions of higher education, but to supplement and, to the extent practicable, to increase the amounts of such funds that would in the absence of such Federal funds be made available for community service programs;

(5) set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State (including such funds paid by the State or by the Commissioner to institutions of higher education) under this title; and

(6) 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, and 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. Records.

(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

PAYMENTS

SEC. 106. (a) Except as provided in subsection (b), payment under this title shall be made to those State agencies and institutions which administer plans approved under section 105(b). Payments under this title from a State's allotment with respect to the cost of developing and carrying out its State plan shall equal 75 per centum of such costs for the fiscal year ending June 30, 1966, 75 per centum of such costs for the fiscal year ending June 30, 1967, and 50 per centum of such costs for each of the three succeeding fiscal years, except that no payments for any fiscal year shall be made to any State with respect to expenditures for developing and administering the State plan which exceed 5 per centum of the costs for that year for which payment under this subsection may be made to that State, or $25,000, whichever is the greater. In determining the cost of developing and carrying out a State's plan, there shall be excluded any cost with respect to which payments were received under any other Federal program.

(b) No payments shall be made to any State from its allotments for any fiscal year unless and until the Commissioner finds that the institutions of higher education which will participate in carrying out the State plan for that year will together have available during that year for expenditure from non-Federal sources for college and university extension and continuing education programs not less than the total amount actually expended by those institutions for college and university extension and continuing education programs from such sources during the fiscal year ending June 30, 1965, plus an amount equal to not less than the non-Federal share of the costs with respect to which payment pursuant to subsection (a) is sought.

(c) Payments to a State 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, and they may be paid directly to the State or to one or more participating institutions of higher education designated for this purpose by the State, or to both.

ADMINISTRATION OF STATE PLANS

Opportunity for hearing.

SEC. 107. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State agency or institution submitting the plan reasonable notice and opportunity for a hearing.

Noncompliance.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency or institution administering a State plan approved under section 105(b), finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of section 105(a), or

(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify the State agency or institution 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. 108. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 105(a) or with his final action under section 107(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 the 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 COUNCIL ON EXTENSION AND CONTINUING EDUCATION

Appointment by President.

SEC. 109. (a) The President shall, within ninety days of enactment of this title, appoint a National Advisory Council on Extension and Continuing Education (hereafter referred to as the "Advisory Council"), consisting of the Commissioner, who shall be Chairman, one representative each of the Departments of Agriculture, Commerce, Defense, Labor, Interior, State, and Housing and Urban Development, and the Office of Economic Opportunity, and of such other Federal agencies having extension education responsibilities as the President may designate, and twelve members appointed, for staggered terms and without regard to the civil service laws, by the President. Such twelve members shall, to the extent possible, include persons knowledgeable in the fields of extension and continuing education, State and local officials, and other persons having special knowledge, experience, or qualification with respect to community problems, and persons representative of the general public. The Advisory Council shall meet at the call of the Chairman but not less often than twice a year.

Duties.

(b) The Advisory Council 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 105(b), and policies to eliminate duplication and to effectuate the coordination of programs under this title and other programs offering extension or continuing education activities and services.

Report to President and Congress.

(c) The Advisory Council shall review the administration and effectiveness of all federally supported extension and continuing education programs, including community service programs, make recommendations with respect thereto, and make annual reports commencing on March 31, 1967, of its findings and recommendations (including recommendations for changes in the provisions of this title and other Federal laws relating to extension and continuing education activities) to the Secretary and to the President. The President shall transmit each such report to the Congress together with his comments and recommendations.

Compensation.

(d) Members of the Advisory Council who are not regular full-time employees of the United States shall, while serving on the business of the Council, 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, members 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.

60 Stat. 808; 75 Stat. 339, 340.

(e) The Secretary shall engage such technical assistance as may be required to carry out the functions of the Advisory Council, and the Secretary shall, in addition, make available to the Advisory Council 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.

(f) In carrying out its functions pursuant to this section, the Advisory Council may utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary and the head of such agency.

RELATIONSHIP TO OTHER PROGRAMS

SEC. 110. Nothing in this title shall modify authorities under the Act of February 23, 1917 (Smith-Hughes Vocational Education Act), as amended (20 U.S.C. 11–15, 16–28); the Vocational Education Act of 1946, as amended (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, and 15aaa–15ggg); the Vocational Education Act of 1963 (20 U.S.C. 35–35n); title VIII of the Housing Act of 1964 (Public Law 88–560); or the Act of May 8, 1914 (Smith-Lever Act), as amended (7 U.S.C. 341–348).

39 Stat. 929.
60 Stat. 775.
77 Stat. 403.
78 Stat. 802.
20 USC 801-811.
67 Stat. 83.

LIMITATION

SEC. 111. 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.

"School or department of divinity."

TITLE II—COLLEGE LIBRARY ASSISTANCE AND LIBRARY TRAINING AND RESEARCH

PART A—COLLEGE LIBRARY RESOURCES

APPROPRIATIONS AUTHORIZED

SEC. 201. There are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years, to enable the Commissioner to make grants under this part to institutions of higher education to assist and encourage such institutions in the acquisition for library purposes of books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related library materials (including necessary binding). For the fiscal year ending June 30, 1969, and the succeeding fiscal year, there may be appropriated, to enable the Commissioner to make such grants, only such sums as the Congress may hereafter authorize by law.

BASIC GRANTS

SEC. 202. From 75 per centum of the sums appropriated pursuant to section 201 for any fiscal year, the Commissioner is authorized to make basic grants for the purposes set forth in that section to institutions of higher education and combinations of such institutions. The amount of a basic grant shall not exceed $5,000 for each such institution of higher education and each branch of such institution which is located in a community different from that in which its parent institution is located, as determined in accordance with regulations of the Commissioner, and a basic grant under this subsection may be made only if the application therefor is approved by the Commissioner upon his determination that the application (whether by an individual institution or a combination of institutions)—

(a) provides satisfactory assurance that the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for all library purposes (exclusive of construction) (1) an amount not

less than the average annual amount it expended for such purposes during the two-year period ending June 30, 1965, and (2) an amount (from such other sources) equal to not less than the amount of such grant;

(b) provides satisfactory assurance that the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related materials (including necessary binding) for library purposes an amount not less than the average annual amount it expended for such materials during the two-year period ending June 30, 1965;

(c) 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

Record retention.

(d) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this section, and 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.

SUPPLEMENTAL GRANTS

SEC. 203. (a) From the remainder of such 75 per centum of the sums appropriated pursuant to section 201 for any fiscal year, plus any part of such sums as the Commissioner determines will not be used for making grants under section 204, the Commissioner is authorized to make supplemental grants for the purposes set forth in section 201 to institutions of higher education and combinations of such institutions. The amount of a supplemental grant shall not exceed $10 for each full-time student (including the full-time equivalent of the number of part-time students) enrolled in each such institution, as determined pursuant to regulations of the Commissioner. A supplemental grant may be made only upon application therefor, in such form and containing such information as the Commissioner may require, which application shall—

(1) meet the application requirements set forth in section 202 except for the matching requirement set forth in paragraph (a) (2) of that section;

(2) describe the size and quality of the library resources of the applicant in relation to its present enrollment and any expected increase in its enrollment;

(3) set forth any special circumstances which are impeding or will impede the proper development of its library resources; and

(4) provide a general description of how a supplemental grant would be used to improve the size or quality of its library resources.

(b) The Commissioner shall approve applications for supplemental grants on the basis of basic criteria prescribed in regulations and developed after consultation with the Council created under section 205. Such basic criteria shall be such as will best tend to achieve the objectives of this part and they (1) may take into consideration factors such as the size and age of the library collection and student enrollment, and (2) shall give priority to institutions in need of financial assistance for library purposes.

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SPECIAL PURPOSE GRANTS

SEC. 204. (a) (1) Twenty-five per centum of the sums appropriated pursuant to section 201 for each fiscal year shall be used by the Commissioner in accordance with this subsection.

(2) Of the sums available for use under paragraph (1) sixty per centum may be used to make special grants (A) to institutions of higher education which demonstrate a special need for additional library resources and which demonstrate that such additional library resources will make a substantial contribution to the quality of their educational resources, (B) to institutions of higher education to meet special national or regional needs in the library and information sciences, and (C) to combinations of institutions of higher education which need special assistance in establishing and strengthening joint-use facilities. Grants under this section may be used only for books, periodicals, documents, magnetic tapes, phonograph records, audiovisual materials, and other related library materials (including necessary binding).

(3) Any sums available for use under paragraph (1) which are not used for the purposes of paragraph (2) shall be used in the manner prescribed by the first sentence of section 203(a).

(b) Grants pursuant to paragraph (2) shall be made upon application providing satisfactory assurance that (1) the applicant (or applicants jointly in the case of a combination of institutions) will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for the same purpose as such grant an amount from such other sources equal to not less than 33⅓ per centum of such grant, and (2) in addition each such applicant will expend during such fiscal year (from such other sources) for all library purposes (exclusive of construction) an amount not less than the average annual amount it expended for such purposes during the two-year period ending June 30, 1965.

ADVISORY COUNCIL ON COLLEGE LIBRARY RESOURCES

SEC. 205. (a) The Commissioner shall establish in the Office of Education an Advisory Council on College Library Resources consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary.

Duties.

(b) The Advisory Council shall advise the Commissioner with respect to establishing criteria for the making of supplemental grants under section 203 and the making of special purpose grants under section 204. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Advisory Council.

Members, compensation.

(c) Members of the Advisory Council, while serving on business of the Advisory Council, shall receive compensation at a rate to be 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 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.

60 Stat. 808; 75 Stat. 339, 340.

ACCREDITATION REQUIREMENT FOR PURPOSES OF THIS PART

SEC. 206. For the purposes of this part, an educational institution shall be deemed to have been accredited by a nationally recognized accrediting agency or association if the Commissioner determines that

there is satisfactory assurance that upon acquisition of the library resources with respect to which assistance under this part is sought, or upon acquisition of those resources and other library resources planned to be acquired within a reasonable time, the institution will meet the accreditation standards of such agency or association.

LIMITATION

SEC. 207. No grant may be made under this part for books, periodicals, documents, or other related materials to be used for sectarian instruction or religious worship, or primarily in connection with any part of the program of 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.

"School or department of divinity."

CONSULTATION WITH STATE AGENCY

SEC. 208. Each institution of higher education which receives a grant under this part shall periodically inform the State agency (if any) concerned with the educational activities of all institutions of higher education in the State in which such institution is located, of its activities under this part.

PART B—LIBRARY TRAINING AND RESEARCH

APPROPRIATIONS AUTHORIZED

SEC. 221. There are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years, for the purpose of carrying out this part. For the fiscal year ending June 30, 1969, and the succeeding fiscal year, there may be appropriated for such purpose only such sums as the Congress may hereafter authorize by law.

DEFINITION OF "LIBRARIANSHIP"

SEC. 222. For the purposes of this part the term "librarianship" means the principles and practices of the library and information sciences, including the acquisition, organization, storage, retrieval, and dissemination of information, and reference and research use of library and other information resources.

GRANTS FOR TRAINING IN LIBRARIANSHIP

SEC. 223. (a) The Commissioner is authorized to make grants to institutions of higher education to assist them in training persons in librarianship. Such grants may be used by such institutions to assist in covering the cost of courses of training or study for such persons, and for establishing and maintaining fellowships or traineeships with stipends (including allowances for traveling, subsistence, and other expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner.

(b) The Commissioner may make a grant to an institution of higher education only upon application by the institution and only upon his finding that such program will substantially further the objective of increasing the opportunities throughout the Nation for training in librarianship.

RESEARCH AND DEMONSTRATIONS RELATING TO LIBRARIES AND THE TRAINING OF LIBRARY PERSONNEL

SEC. 224. (a) The Commissioner is authorized to make grants to institutions of higher education and other public or private agencies, institutions, and organizations, for research and demonstration projects relating to the improvement of libraries or the improvement of training in librarianship, including the development of new techniques, systems, and equipment for processing, storing, and distributing information, and for the dissemination of information derived from such research and demonstrations, and, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5), to provide by contracts 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.

Special advisory committee, appointment.

(b) The Commissioner is authorized to appoint a special advisory committee of not more than nine members to advise him on matters of general policy concerning research and demonstration projects relating to the improvement of libraries and the improvement of training in librarianship, or concerning special services necessary thereto or special problems involved therein.

Members, compensation.

(c) Members of the committee appointed under this section 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 in excess of $100 per diem, including travel time; and they may, while so serving away from their homes or regular places of business, 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.

60 Stat. 808; 75 Stat. 339, 340.

REPEALER

SEC. 225. Effective July 1, 1967, section 1101 of the National Defense Education Act of 1958 is amended by adding the word "or" at the end of clause (2), by striking out clause (3), and by renumbering clause (4) as clause (3).

78 Stat. 1107. 20 USC 591.

PART C—STRENGTHENING COLLEGE AND RESEARCH LIBRARY RESOURCES

APPROPRIATIONS AUTHORIZED

SEC. 231. There are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1966, $6,315,000 for the fiscal year ending June 30, 1967, and $7,770,000 for the fiscal year ending June 30, 1968, to enable the Commissioner to transfer funds to the Librarian of Congress for the purpose of—

(1) acquiring, so far as possible, all library materials currently published throughout the world which are of value to scholarship; and

(2) providing catalog information for these materials promptly after receipt, and distributing bibliographic information by printing catalog cards and by other means, and enabling the Library of Congress to use for exchange and other purposes such of these materials as are not needed for its own collections.

For the fiscal year ending June 30, 1969, and the succeeding fiscal year, there may be appropriated, to enable the Commissioner to transfer funds to the Librarian of Congress for such purpose, only such sums as the Congress may hereafter authorize by law.

TITLE III—STRENGTHENING DEVELOPING INSTITUTIONS

STATEMENT OF PURPOSE AND APPROPRIATIONS AUTHORIZED

SEC. 301. (a) The purpose of this title is to assist in raising the academic quality of colleges which have the desire and potential to make a substantial contribution to the higher education resources of our Nation but which for financial and other reasons are struggling for survival and are isolated from the main currents of academic life, and to do so by enabling the Commissioner to establish a national teaching fellow program and to encourage and assist in the establishment of cooperative arrangements under which these colleges may draw on the talent and experience of our finest colleges and universities, and on the educational resources of business and industry, in their effort to improve their academic quality.

(b) (1) There is authorized to be appropriated the sum of $55,000,000 for the fiscal year ending June 30, 1966, to carry out the provisions of this title.

(2) Of the sums appropriated pursuant to this section for any fiscal year, 78 per centum shall be available only for carrying out the provisions of this title with respect to developing institutions which plan to award one or more bachelor's degrees during such year.

(3) The remainder of the sums so appropriated shall be available only for carrying out the provisions of this title with respect to developing institutions which do not plan to award such a degree during such year.

DEFINITION OF "DEVELOPING INSTITUTION"

SEC. 302. As used in this title the term "developing institution" means a public or nonprofit educational institution in any State which—

(a) admits as regular students only persons having a certificate of graduation from a secondary school, or the recognized equivalent of such certificate;

(b) is legally authorized to provide, and provides within the State, an educational program for which it awards a bachelor's degree, or provides not less than a two-year program which is acceptable for full credit toward such a degree, or offers a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles of knowledge;

(c) is accredited by a nationally recognized accrediting agency or association determined by the Commissioner to be reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation;

(d) has met the requirements of clauses (a) and (b) during the five academic years preceding the academic year for which it seeks assistance under this title;

(e) is making a reasonable effort to improve the quality of its teaching and administrative staffs and of its student services;

(f) is, for financial or other reasons, struggling for survival and is isolated from the main currents of academic life;

(g) meets such other requirements as the Commissioner may prescribe by regulation; and

(h) is not an institution, or 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.

ADVISORY COUNCIL ON DEVELOPING INSTITUTIONS

Establishment.

SEC. 303. (a) The Commissioner shall establish in the Office of Education an Advisory Council on Developing Institutions (hereinafter in this title referred to as the "Council"), consisting of the Commissioner who shall be Chairman, one representative each of such Federal agencies having responsibilities with respect to developing institutions as the Commissioner may designate, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary.

Duties.

(b) The Council shall advise the Commissioner with respect to policy matters arising in the administration of this title and in particular shall assist the Commissioner in identifying those developing institutions through which the purposes of this title can best be achieved and in establishing priorities for use in approving applications under this title. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Council.

Members, compensation.

(c) Members of the Council who are not otherwise full-time employees of the United States shall, while serving on business of the Council, receive compensation at a rate to be 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, members 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.

60 Stat. 808; 75 Stat. 339, 340.

GRANTS FOR COOPERATIVE AGREEMENTS TO STRENGTHEN DEVELOPING INSTITUTIONS

SEC. 304. (a) The Commissioner is authorized to make grants to developing institutions and other colleges and universities to pay part of the cost of planning, developing, and carrying out cooperative arrangements which show promise as effective measures for strengthening the academic programs and the administration of developing institutions. Such cooperative arrangements may be between developing institutions, between developing institutions and other colleges and universities, and between developing institutions and organizations, agencies, and business entities. Grants under this section may be used for projects and activities such as—

Uses.

(1) exchange of faculty or students, including arrangements for bringing visiting scholars to developing institutions;

(2) faculty and administration improvement programs utilizing training, education (including fellowships leading to advanced degrees), internships, research participation, and other means;

(3) introduction of new curriculums and curricular materials;

(4) development and operation of cooperative education programs involving alternate periods of academic study and business or public employment;

(5) joint use of facilities such as libraries or laboratories, including necessary books, materials, and equipment; and

(6) other arrangements which offer promise of strengthening the academic programs and the administration of developing institutions.

Conditions.

(b) A grant may be made under this section only upon application to the Commissioner at such time or times and containing such information as he deems necessary. The Commissioner shall not approve an application unless it—

(1) sets forth a program for carrying out one or more projects or activities which meet the requirements of subsection (a) and provides for such methods of administration as are necessary for the proper and efficient operation of the program;

(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

Record retention.

(4) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this title, and 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.

(c) The Commissioner shall, after consultation with the Council, establish criteria as to eligible expenditures for which grants made under this section may be used, which criteria shall be so designed as to prevent the use of such grants for expenditures not necessary to the achievement of the purposes of this title.

NATIONAL TEACHING FELLOWSHIPS

SEC. 305. (a) The Commissioner is authorized to award fellowships under this section to highly qualified graduate students and junior members of the faculty of colleges and universities, to encourage such individuals to teach at developing institutions. The Commissioner shall award fellowships to individuals for teaching at developing institutions only upon application by an institution approved for this purpose by the Commissioner and only upon a finding by the Commissioner that the program of teaching set forth in the application is reasonable in the light of the qualifications of the teaching fellow and of the educational needs of the applicant.

Stipends.

(b) Fellowships may be awarded under this section for such period of teaching as the Commissioner may determine, but such period shall not exceed two academic years. Each person awarded a fellowship under the provisions of this section shall receive a stipend for each academic year of teaching of not more than $6,500 as determine by the Commissioner upon the advice of the Council, plus an additional amount of $400 for each such year on account of each of his dependents.

TITLE IV—STUDENT ASSISTANCE

PART A—EDUCATIONAL OPPORTUNITY GRANTS

STATEMENT OF PURPOSE AND APPROPRIATIONS AUTHORIZED

SEC. 401. (a) It is the purpose of this part to provide, through institutions of higher education, educational opportunity grants to assist in making available the benefits of higher 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 $70,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years, to enable the Commissioner to make payments to institutions of higher education that have agreements with him entered into under section 407, for use by such institutions for payments to undergraduate students for the initial academic year of educational opportunity grants awarded to them under this part. For the fiscal year ending June 30, 1969 and for the succeeding fiscal year, there may be appropriated, to carry out the first sentence of this subsection, only such sums as the Congress may hereafter authorize by law. There are further authorized to be appropriated such sums as may be necessary for payment to such institutions for use by them for making educational opportunity grants under this part to undergraduate students for academic years other than the initial year of their educational opportunity grants; but no appropriation may be made pursuant to this sentence for any fiscal year beginning more than three years after the last fiscal year for which an appropriation is authorized under the first sentence. 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. For the purposes of this subsection, payment for the first year of an educational opportunity grant shall not be considered as an initial-year payment if the educational opportunity grant was awarded for the continuing education of a student who had been previously awarded an educational opportunity grant under this part (whether by another institution or otherwise) and had received payment for any year of that educational opportunity grant.

AMOUNT OF EDUCATIONAL OPPORTUNITY GRANT—ANNUAL DETERMINATION

SEC. 402. From the funds received by it for such purpose under this part, an institution of higher education which awards an 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 the institution, 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 this title, but excluding assistance from work-study programs) provided such student by such institution 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 regulation of the Commissioner, or

(2) in the case of a student who during the preceding academic year at an institution of higher education 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 under the preceding sentence for an academic year is less than $200 for a student, no payment shall be made under this title to that student for that year. The Commissioner shall, subject to the foregoing limitations, prescribe for the guidance of participating institutions basic criteria or schedules (or both) for the determination of the amount of any such 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 Commissioner may deem relevant.

DURATION OF EDUCATIONAL OPPORTUNITY GRANT

SEC. 403. The duration of an educational opportunity grant awarded under this part shall be the period required for completion by the recipient of his undergraduate course of study at the institution of higher education from which he received the educational opportunity 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 educational opportunity grant (whether made by the same or another institution). 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 study which he is pursuing, according to the regularly prescribed standards and practices of the institution from which he received the grant, and (2) is devoting essentially full time to that course of study, during the academic year, in attendance at that institution. Failure to be in attendance at the institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines in accordance with regulations that there is good cause for his nonattendance (during which periods he shall receive no payments) shall not be deemed contrary to clause (2).

Absence for military service, etc.

SELECTION OF RECIPIENTS OF EDUCATIONAL OPPORTUNITY GRANTS

SEC. 404. (a) An individual shall be eligible for the award of an educational opportunity grant under this part at any institution of higher education which has made an agreement with the Commissioner pursuant to section 407 (which institution is hereinafter in this part referred to as an "eligible institution"), if the individual makes application at the time and in the manner prescribed by that institution.

(b) From among those eligible for educational opportunity grants from an institution of higher education for each fiscal year, the institution shall, in accordance with the provisions of its agreement with the Commissioner under section 407 and within the amount allocated to the institution for that purpose for that year under section 406, select individuals who are to be awarded such grants and determine, pursuant to section 402, the amounts to be paid to them. An institution shall not award an educational opportunity grant to an individual unless it determines that—

(1) he has been accepted for enrollment as a full-time student at such institution or, in the case of a student already attending such institution, 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 an educational opportunity grant, be financially able to pursue a course of study at such institution of higher education.

ALLOTMENT OF EDUCATIONAL OPPORTUNITY GRANT FUNDS AMONG STATES

SEC. 405. (a)(1) From the sums appropriated pursuant to the first sentence of section 401(b) for any fiscal year, the Commissioner 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 institutions of higher education in such State bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all the States. The number of persons enrolled on a full-time basis in institutions of higher education for purposes of this section shall be determined by the Commissioner for the most recent year for which satisfactory data are available to him.

(2) If the total of the sums determined by the Commissioner to be required under section 406 for any fiscal year for eligible institutions in a State is less than the amount of the allotment to that State under paragraph (1) for that year, the Commissioner may reallot 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.

(b) Sums appropriated pursuant to the third sentence of section 401(b) for any fiscal year shall be allotted or reallotted among the States in such manner as the Commissioner determines to be necessary to carry out the purposes for which such sums are appropriated.

ALLOCATION OF ALLOTTED FUNDS TO INSTITUTIONS

SEC. 406. (a) The Commissioner shall from time to time set dates by which eligible institutions in any State must file applications for allocation, to such institutions, of educational opportunity grant funds from the allotment to that State (including any reallotment thereto) for any fiscal year pursuant to section 405(a), to be used for the purposes specified in the first sentence of section 401(b). Such allocations shall be made in accordance with equitable criteria which the Commissioner shall establish and which shall be designed to achieve such distribution of such funds among eligible institutions within a State as will most effectively carry out the purposes of this part.

(b) The Commissioner shall further, in accordance with regulations, allocate to eligible institutions, in any State, from funds apportioned or reapportioned pursuant to section 405(b), funds to be used for the educational opportunity grants specified in the third sentence of section 401(b).

(c) Payment shall be made from allocations under this section to institutions as needed.

AGREEMENTS WITH INSTITUTIONS—CONDITIONS

SEC. 407. (a) An institution of higher education which desires to obtain funds for educational opportunity grants under this part, shall enter into an agreement with the Commissioner. Such agreement shall—

(1) provide that funds received by the institution 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 404(b)(3) the institution 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 institution, in cooperation with other institutions of higher education where appropriate, will make vigorous efforts to identify qualified youths of exceptional financial need and to encourage them to continue their education beyond secondary school through programs and activities such as—

(A) establishing or strengthening close working relationships with secondary-school principals and guidance and counseling personnel with a view toward motivating students to complete secondary school and pursue post-secondary-school educational opportunities, and

(B) making, to the extent feasible, conditional commitments for 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 institution 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 educational opportunity grants under this part reasonably available (to the extent of available funds) to all eligible students in the institution 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.

(b)(1) An institution, which has in effect an agreement for Federal capital contributions for a student loan fund pursuant to title II of the National Defense Education Act of 1958, may use, as an additional Federal capital contribution for the purposes of such loan fund, not to exceed 25 per centum of the funds paid to it for any fiscal year ending prior to July 1, 1970, for the purpose set forth in section 401(b). The requirement in section 204(2)(B) of such Act shall not apply to such a Federal capital contribution.

72 Stat. 1583.
20 USC 421-429.

(2) For the purpose of making payments from amounts appropriated pursuant to the third sentence of section 401(b), any institution electing for any fiscal year to use an amount of its payment as a Federal capital contribution pursuant to paragraph (1) shall be paid an equal amount for each of the succeeding three fiscal years from such amounts appropriated pursuant to such third sentence, if the amount so paid to the institution for each such year is used by such institution as such a Federal capital contribution.

CONTRACTS TO ENCOURAGE FULL UTILIZATION OF EDUCATIONAL TALENT

SEC. 408. (a) To assist in achieving the purposes of this part the Commissioner 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 postsecondary educational training,

(2) publicizing existing forms of student financial aid, including aid furnished under this part, or

(3) encouraging secondary-school or college dropouts of demonstrated aptitude to reenter educational programs, including post-secondary-school programs.

Appropriation.

(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.

DEFINITION OF "ACADEMIC YEAR"

SEC. 409. As used in this part, the term "academic year" means an academic year or its equivalent as defined in regulations of the Commissioner.

PART B—FEDERAL, STATE, AND PRIVATE PROGRAMS OF LOW-INTEREST INSURED LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

STATEMENT OF PURPOSE AND APPROPRIATIONS AUTHORIZED

SEC. 421. (a) The purpose of this part is to enable the Commissioner (1) to encourage States and nonprofit private institutions and organizations to establish adequate loan insurance programs for students in eligible institutions (as defined in section 435), (2) to provide a Federal program of student loan insurance for students who do not have reasonable access to a State or private nonprofit program of student loan insurance covered by an agreement under section 428(b), and (3) to pay a portion of the interest on loans to qualified students which are made by a State under a direct loan program meeting the requirements of section 428(a)(1)(B), or which are insured under this part or under a program of a State or of a nonprofit private institution or organization which meets the requirements of section 428(a)(1)(C).

(b) For the purpose of carrying out this part—

(1) there are authorized to be appropriated to the student loan insurance fund (established by section 431) (A) the sum of $1,000,000, and (B) such further sums, if any, as may become necessary for the adequacy of the student loan insurance fund,

(2) there are authorized to be appropriated, for payments under section 428 with respect to interest on student loans, such sums for the fiscal year ending June 30, 1966, and succeeding fiscal years, as may be required therefor, and

(3) there is authorized to be appropriated the sum of $17,500,000 for making advances pursuant to section 422 for the reserve funds of State and nonprofit private student loan insurance programs.

Sums appropriated under clauses (1) and (2) of this subsection shall remain available until expended, and sums appropriated under clause (3) of this subsection shall remain available for advances under section 422 until the close of the fiscal year ending June 30, 1968.

ADVANCES FOR RESERVE FUNDS OF STATE AND NONPROFIT PRIVATE LOAN INSURANCE PROGRAMS

SEC. 422. (a)(1) From the sums appropriated pursuant to clause (3) of section 421(b), the Commissioner is authorized to make advances to any State with which he has made an agreement pursuant to section 428(b) for the purpose of helping to establish or strengthen the reserve fund of the student loan insurance program covered by that agreement. If for any of the fiscal years ending June 30, 1966, June 30, 1967, or June 30, 1968, a State does not have a student loan insurance program covered by an agreement made pursuant to section 428(b), and the

Commissioner determines after consultation with the chief executive officer of that State that there is no reasonable likelihood that the State will have such a student loan insurance program for such year, the Commissioner may make advances for such year for the same purpose to one or more nonprofit private institutions or organizations with which he has made an agreement pursuant to section 428(b) in order to enable students in that State to participate in a program of student loan insurance covered by such an agreement. The Commissioner may make advances under this subsection both to a State program (with which he has such an agreement) and to one or more nonprofit private institutions or organizations (with which he has such an agreement) in that State if he determines that such advances are necessary in order that students in each eligible institution have access through such institution to a student loan insurance program which meets the requirements of section 428(b)(1).

(2) Advances pursuant to this subsection shall be upon such terms and conditions (including conditions relating to the time or times of payment) consistent with the requirements of section 428(b) as the Commissioner determines will best carry out the purposes of this section. Advances made by the Commissioner under this subsection shall be repaid within such period as the Commissioner may deem to be appropriate in each case in the light of the maturity and solvency of the reserve fund for which the advance was made.

(b) The total of the advances to any State pursuant to subsection (a) may not exceed an amount which bears the same ratio to 2½ per centum of $700,000,000 as the population of that State aged eighteen to twenty-two, inclusive, bears to the total population of all the States aged eighteen to twenty-two, inclusive. If the amount so determined for any State, however, is less than $25,000, it shall be increased to $25,000 and the total of the increases thereby required shall be derived by proportionately reducing (but not below $25,000) the amount so determined for each of the remaining States. Advances to nonprofit private institutions and organizations pursuant to subsection (a) may be in such amounts as the Commissioner determines will best achieve the purposes for which they are made, except that the sum of (1) advances to such institutions and organizations for the benefit of students in any State plus (2) the amounts advanced to such State, may not exceed the maximum amount which may be advanced to that State pursuant to the first two sentences of this subsection. For the purposes of this subsection, the population aged eighteen to twenty-two, inclusive, of each State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

EFFECT OF ADEQUATE NON-FEDERAL PROGRAMS

SEC. 423. The Commissioner shall not issue certificates of insurance under section 429 to lenders in a State if he determines that every eligible institution has reasonable access in that State to a State or private nonprofit student loan insurance program which is covered by an agreement under section 428(b).

SCOPE AND DURATION OF FEDERAL LOAN INSURANCE PROGRAM

SEC. 424. (a) The total principal amount of new loans made and installments paid pursuant to lines of credit (as defined in section 435) to students covered by Federal loan insurance under this part shall not exceed $700,000,000 in the fiscal year ending June 30, 1966, $1,000,000,000 in the fiscal year ending June 30, 1967, and $1,400,000,000 in the fiscal year ending June 30, 1968. Thereafter,

Federal loan insurance pursuant to this part may be granted only for loans made (or for loan installments paid pursuant to lines of credit) to enable students, who have obtained prior loans insured under this part, to continue or complete their educational program; but no insurance may be granted for any loan made or installment paid after June 30, 1972.

(b) The Commissioner may, if he finds it necessary to do so in order to assure an equitable distribution of the benefits of this part, assign, within the maximum amounts specified in subsection (a), Federal loan insurance quotas applicable to eligible lenders, or to States or areas, and may from time to time reassign unused portions of these quotas.

LIMITATIONS ON INDIVIDUAL FEDERALLY INSURED LOANS AND ON FEDERAL LOAN INSURANCE

SEC. 425. (a)(1) The total of the loans made to a student in any academic year or its equivalent (as determined under regulations of the Commissioner) which may be covered by Federal loan insurance under this part may not exceed $1,500 in the case of a graduate or professional student (as defined in regulations of the Commissioner), or $1,000 in the case of any other student. The aggregate insured unpaid prinicpal amount of all such insured loans made to any student shall not at any time exceed $7,500 in the case of any graduate or professional student (as defined in regulations of the Commissioner, and including any such insured loans made to such person before he became a graduate or professional student), or $5,000 in the case of any other student. The annual insurable limit per student shall not be deemed to be exceeded by a line of credit under which actual payments by the lender to the borrower will not be made in any year in excess of the annual limit.

(2) If in any academic year or its equivalent a student receives a loan which is insured by the Commissioner under this part, no loan to that student in that year may be made or insured by the Commissioner under the National Vocational Student Loan Insurance Act of 1965; and if in any academic year or its equivalent a student receives a loan which is made or insured by the Commissioner under the National Vocational Student Loan Insurance Act of 1965, no loan to that student in that year may be insured by the Commissioner under this part.

Ante, p. 1037.

(b) The insurance liability on any loan insured by the Commissioner under this part shall be 100 per centum of the unpaid balance of the principal amount of the loan. Such insurance liability shall not include liability for interest whether or not that interest has been added to the principal amount of the loan.

SOURCES OF FUNDS

SEC. 426. Loans made by eligible lenders in accordance with this part shall be insurable by the Commissioner whether made from funds fully owned by the lender or from funds held by the lender in a trust or similar capacity and available for such loans.

ELIGIBILITY OF STUDENT BORROWERS AND TERMS OF STUDENT LOANS

SEC. 427. (a) A loan by an eligible lender shall be insurable by the Commissioner under the provisions of this part only if—

(1) made to a student who (A) has been accepted for enrollment at an eligible institution or, in the case of a student already attending such institution, is in good standing there as determined by the institution, and (B) is carrying at least one-half of the normal full-time workload as determined by the institution, and

(C) has provided the lender with a statement of the institution which sets forth a schedule of the tuition and fees applicable to that student and its estimate of the cost of board and room for such a student; and

(2) evidenced by a note or other written agreement which—

(A) is made without security and without endorsement, except that if the borrower is a minor and such note or other written agreement executed by him would not, under the applicable law, create a binding obligation, endorsement may be required,

(B) provides for repayment (except as provided in subsection (c)) of the principal amount of the loan in installments over a period of not less than five years (unless sooner repaid) nor more than ten years beginning not earlier than nine months nor later than one year after the date on which the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution, except (i) as provided in clause (C) below, (ii) that the period of the loan may not exceed fifteen years from the execution of the note or written agreement evidencing it and (iii) that the note or other written instrument may contain such provisions relating to repayment in the event of default in the payment of interest or in the payment of the cost of insurance premiums, or other default by the borrower, as may be authorized by regulations of the Commissioner in effect at the time the loan is made,

(C) provides that periodic installments of principal need not be paid, but interest shall accrue and be paid, during any period (i) during which the borrower is pursuing a full-time course of study at an institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner, (ii) not in excess of three years, during which the borrower is a member of the Armed Forces of the United States, or (iii) not in excess of three years during which the borrower is in service as a volunteer under the Peace Corps Act, and any such period shall not be included in determining the ten-year period or the fifteen-year period provided in clause (B) above,

75 Stat. 612. 22 USC 2501 note.

(D) provides for interest on the unpaid principal balance of the loan at a yearly rate, not exceeding the applicable maximum rate prescribed and defined by the Secretary (within the limits set forth in subsection (b)) on a national, regional, or other appropriate basis, which interest shall be payable in installments over the period of the loan except that, if provided in the note or other written agreement, any interest payable by the student may be deferred until not later than the date upon which repayment of the first installment of principal falls due, in which case interest that has so accrued during that period may be added on that date to the principal (but without thereby increasing the insurance liability under this part),

(E) provides that the lender will not collect or attempt to collect from the borrower any portion of the interest on the note which is payable by the Commissioner under this part,

(F) entitles the student borrower to accelerate without penalty repayment of the whole or any part of the loan, and

(G) contains such other terms and conditions, consistent with the provisions of this part and with the regulations

issued by the Commissioner pursuant to this part, as may be agreed upon by the parties to such loan, including, if agreed upon, a provision requiring the borrower to pay to the lender, in addition to principal and interest, amounts equal to the insurance premiums payable by the lender to the Commissioner with respect to such loan.

(b) No maximum rate of interest prescribed and defined by the Secretary for the purposes of clause (2)(D) of subsection (a) may exceed 6 per centum per annum on the unpaid principal balance of the loan, except that under circumstances which threaten to impede the carrying out of the purposes of this part, one or more of such maximum rates of interest may be as high as 7 per centum per annum on the unpaid principal balance of the loan.

(c) The total of the payments by a borrower during any year of any repayment period with respect to the aggregate amount of all loans to that borrower which are insured by the Commissioner under this part shall not be less than $360 or the balance of all of such loans (together with interest thereon), whichever amount is less.

FEDERAL PAYMENTS TO REDUCE STUDENT INTEREST COSTS

SEC. 428. (a)(1) Each student who has received a loan for study at eligible institution—

(A) which is insured by the Commissioner under this part;

(B) which was made under a State student loan program (meeting criteria prescribed by the Commissioner), and which was contracted for, and paid to the student, within the period specified by paragraph (4); or

(C) which is insured under a program of a State or of a nonprofit private institution or organization, which was contracted for, and paid to the student, within the period specified in paragraph (4), and which—

(i) in the case of a loan insured prior to July 1, 1967, was made by an eligible lender and is insured under a program which meets the requirements of subparagraph (E) of subsection (b)(1) and provides that repayment of such loan shall be in installments beginning not earlier than sixty days after the student ceases to pursue a course of study (as described in subparagraph (D) of subsection (b)(1)) at an eligible institution, or

(ii) in the case of a loan insured after June 30, 1967, is insured under a program covered by an agreement made pursuant to subsection (b),

and whose adjusted family income is less than $15,000 at the time of execution of the note or written agreement evidencing such loan, shall be entitled to have paid on his behalf and for his account to the holder of the loan, over the period of the loan, a portion of the interest on the loan. For the purposes of this paragraph, the adjusted family income of a student shall be determined pursuant to regulations of the Commissioner in effect at the time of the execution of the note or written agreement evidencing the loan. Such regulations shall provide for taking into account such factors, including family size, as the Commissioner deems appropriate. In the absence of fraud by the lender, such determination of the adjusted family income of a student shall be final insofar as it concerns the obligation of the Commissioner to pay the holder of a loan a portion of the interest on the loan.

Adjusted family income, determination.

(2) The portion of the interest on a loan which a student is entitled to have paid on his behalf and for his account to the holder of the loan pursuant to paragraph (1) shall be equal to the total amount

of the interest on the unpaid principal amount of the loan which accrues prior to the beginning of the repayment period of the loan, and 3 per centum per annum of the unpaid principal amount of the loan (excluding interest which has been added to principal) thereafter; but such portion of the interest on a loan shall not exceed, for any period, the amount of the interest on that loan which is payable by the student after taking into consideration the amount of any interest on that loan which the student is entitled to have paid on his behalf for that period under any State or private loan insurance program. The holder of a loan with respect to which payments are required to be made under this section shall be deemed to have a contractual right, as against the United States, to receive from the Commissioner the portion of interest which has been so determined. The Commissioner shall pay this portion of the interest to the holder of the loan on behalf of and for the account of the borrower at such times as may be specified in regulations in force when the applicable agreement entered into pursuant to subsection (b) was made, or if the loan was made by a State or is insured under a program which is not covered by such an agreement, at such times as may be specified in regulations in force at the time the loan was paid to the student.

(3) Each holder of a loan with respect to which payments of interest are required to be made by the Commissioner shall submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan.

(4) The period referred to in subparagraphs (B) and (C) of paragraph (1) of this subsection shall begin on the date of enactment of this Act and end at the close of June 30, 1968, except that, in the case of a loan made or insured under a student loan or loan insurance program to enable a student who has obtained a prior loan made or insured under such program to continue his educational program, such period shall end at the close of June 30, 1972.

(5) No payment may be made under this section with respect to the interest on a loan made from a student loan fund established under title II of the National Defense Education Act of 1958.

72 Stat. 1583. 20 USC 421-429.

(6) In no event shall interest payments with respect to the same student loan be made under both this section and under section 9 of the National Vocational Student Loan Insurance Act of 1965.

Ante, p. 1041

Agreements.

(b)(1) Any State or any nonprofit private institution or organization may enter into an agreement with the Commissioner for the purpose of entitling students who receive loans which are insured under a student loan insurance program of that State, institution, or organization to have made on their behalf the payments provided for in subsection (a) if the Commissioner determines that the student loan insurance program—

(A) authorizes the insurance of not less than $1,000 nor more than $1,500 in loans to any individual student in any academic year or its equivalent (as determined under regulations of the Commissioner);

(B) authorizes the insurance of loans to any individual student for at least six academic years of study or their equivalent (as determined under regulations of the Commissioner);

(C) provides that (i) the student borrower shall be entitled to accelerate without penalty the whole or any part of an insured loan, (ii) the period of any insured loan may not exceed fifteen years from the date of execution of the note or other written evidence of the loan, and (iii) the note or other written evidence

of any loan may contain such provisions relating to repayment in the event of default by the borrower as may be authorized by regulations of the Commissioner in effect at the time such note or written evidence was executed;

(D) subject to subparagraph (C), provides that, where the total of the insured loans to any student which are held by any one person exceeds $2,000, repayment of such loans shall be in installments over a period of not less than five years nor more than ten years beginning not earlier than nine months nor later than one year after the student ceases to pursue a full-time course of study at an eligible institution, except that if the program provides for the insurance of loans for part-time study at eligible institutions the program shall provide that such repayment period shall begin not earlier than nine months nor later than one year after the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution;

(E) authorizes interest on the unpaid balance of the loan at a yearly rate not in excess of 6 per centum per annum on the unpaid principal balance of the loan (exclusive of any premium for insurance which may be passed on to the borrower);

(F) insures not less than 80 per centum of the unpaid principal of loans insured under the program;

(G) does not provide for collection of an excessive insurance premium;

(H) provides that the benefits of the loan insurance program will not be denied any student because of his family income or lack of need if his adjusted family income at the time the note or written agreement is executed is less than $15,000 (as determined pursuant to the regulations of the Commissioner prescribed under section 428(a)(1));

(I) provides that a student may obtain insurance under the program for a loan for any year of study at an eligible institution; and

(J) in the case of a State program, provides that such State program is administered by a single State agency, or by one or more nonprofit private institutions or organizations under the supervision of a single State agency.

Conditions.

(2) Such an agreement shall—

(A) provide that the holder of any such loan will be required to submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan;

(B) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part and as are agreed to by the Commissioner and the State or nonprofit private organization or institution, as the case may be; and

(C) provide for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his function under this part and 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.

CERTIFICATES OF FEDERAL LOAN INSURANCE—EFFECTIVE DATE OF INSURANCE

SEC. 429. (a)(1) If, upon application by an eligible lender, made upon such form, containing such information, and supported by such evidence as the Commissioner may require, and otherwise in conformity with this section, the Commissioner finds that the applicant has made a loan to an eligible student which is insurable under the provisions of this part, he may issue to the applicant a certificate of insurance covering the loan and setting forth the amount and terms of the insurance.

(2) Insurance evidenced by a certificate of insurance pursuant to subsection (a)(1) shall become effective upon the date of issuance of the certificate, except that the Commissioner is authorized, in accordance with regulations, to issue commitments with respect to proposed loans, or with respect to lines (or proposed lines) of credit, submitted by eligible lenders, and in that event, upon compliance with subsection (a)(1) by the lender, the certificate of insurance may be issued effective as of the date when any loan, or any payment by the lender pursuant to a line of credit, to be covered by such insurance was made. Such insurance shall cease to be effective upon sixty days' default by the lender in the payment of any installment of the premiums payable pursuant to subsection (c).

(3) An application submitted pursuant to subsection (a)(1) shall contain (A) an agreement by the applicant to pay, in accordance with regulations, the premiums fixed by the Commissioner pursuant to subsection (c), and (B) an agreement by the applicant that if the loan is covered by insurance the applicant will submit such supplementary reports and statements during the effective period of the loan agreement, upon such forms, at such times, and containing such information as the Commissioner may prescribe by or pursuant to regulation.

Comprehensive insurance certificates.

(b)(1) In lieu of requiring a separate insurance application and issuing a separate certificate of insurance for each student loan made by an eligible lender as provided in subsection (a), the Commissioner may, in accordance with regulations consistent with section 424, issue to any eligible lender applying therefor a certificate of comprehensive insurance coverage which shall, without further action by the Commissioner, insure all insurable loans made by that lender, on or after the date of the certificate and before a specified cutoff date, within the limits of an aggregate maximum amount stated in the certificate. Such regulations may provide for conditioning such insurance, with respect to any loan, upon compliance by the lender with such requirements (to be stated or incorporated by reference in the certificate) as in the Commissioner's judgment will best achieve the purpose of this subsection while protecting the financial interest of the United States and promoting the objectives of this part, including (but not limited to) provisions as to the reporting of such loans and information relevant thereto to the Commissioner and as to the payment of initial and other premiums and the effect of default therein, and including provision for confirmation by the Commissioner from time to time (through endorsement of the certificate) of the coverage of specific new loans by such certificate, which confirmation shall be incontestable by the Commissioner in the absence of fraud or misrepresentation of fact or patent error.

(2) If the holder of a certificate of comprehensive insurance coverage issued under this subsection grants to a student a line of credit extending beyond the cutoff date specified in that certificate, loans or payments thereon made by the holder after that date pursuant to the line of credit shall not be deemed to be included in the coverage of that certificate except as may be specifically provided therein; but, subject

to the limitations of section 424, the Commissioner may, in accordance with regulations, make commitments to insure such future loans or payments, and such commitments may be honored either as provided in subsection (a) or by inclusion of such insurance in comprehensive coverage under this subsection for the period or periods in which such future loans or payments are made.

(c) The Commissioner shall, pursuant to regulations, charge for insurance on each loan under this part a premium in an amount not to exceed one-fourth of 1 per centum per year of the unpaid principal amount of such loan (excluding interest added to principal), payable in advance, at such times and in such manner as may be prescribed by the Commissioner. Such regulations may provide that such premium shall not be payable, or if paid shall be refundable, with respect to any period after default in the payment of principal or interest or after the borrower has died or becomes totally and permanently disabled, if (1) notice of such default or other event has been duly given, and (2) request for payment of the loss insured against has been made or the Commissioner has made such payment on his own motion pursuant to section 430(a).

(d) The rights of an eligible lender arising under insurance evidenced by a certificate of insurance issued to it under this section may be assigned as security by such lender only to another eligible lender, and subject to regulation by the Commissioner.

Loan consolidation.

(e) The consolidation of the obligations of two or more federally-insured loans obtained by a student borrower in any fiscal year into a single obligation evidenced by a single instrument of indebtedness shall not affect the insurance by the United States. If the loans thus consolidated are covered by separate certificates of insurance issued under subsection (a), the Commissioner may upon surrender of the original certificates issue a new certificate of insurance in accordance with that subsection upon the consolidated obligation; if they are covered by a single comprehensive certificate issued under subsection (b), the Commissioner may amend that certificate accordingly.

DEFAULT, DEATH, OR DISABILITY OF STUDENT UNDER FEDERAL LOAN INSURANCE PROGRAM

SEC. 430. (a) Upon default by the student borrower on any loan covered by Federal loan insurance pursuant to this part, or upon the death of the student borrower or a finding by the insurance beneficiary that the borrower has become totally and permanently disabled (as determined in accordance with regulations established by the Commissioner) before the loan has been repaid in full, and prior to the commencement of suit or other enforcement proceeding upon security for that loan, the insurance beneficiary shall promptly notify the Commissioner, and the Commissioner shall if requested (at that time or after further collection efforts) by the beneficiary, or may on his own motion, if the insurance is still in effect, pay to the beneficiary the amount of the loss sustained by the insured upon that loan as soon as that amount has been determined. The "amount of the loss" on any loan shall, for the purposes of this subsection and subsection (b), be deemed to be an amount equal to the unpaid balance of the principal amount of the loan (other than interest added to principal).

"Amount of the loss."

(b) Upon payment by the Commissioner of the amount of the loss pursuant to subsection (a), the United States shall be subrogated to all of the rights of the holder of the obligation upon the insured loan and shall be entitled to an assignment of the note or other evidence of the insured loan by the insurance beneficiary. If the net recovery made by the Commissioner on a loan after deduction of the cost of

that recovery (including reasonable administrative costs) exceeds the amount of the loss, the excess shall be paid over to the insured.

(c) Nothing in this section or in this part shall be construed to preclude any forbearance for the benefit of the student borrower which may be agreed upon by the parties to the insured loan and approved by the Commissioner, or to preclude forbearance by the Commissioner in the enforcement of the insured obligation after payment on that insurance, or to require collection of the amount of any loan by the insurance beneficiary or by the Commissioner from the estate of a deceased borrower or from a borrower found by the insurance beneficiary to have become permanently and totally disabled.

(d) Nothing in this section or in this part shall be construed to excuse the holder of a federally insured loan from exercising reasonable care and diligence in the making and collection of loans under the provisions of this part. If the Commissioner, after reasonable notice and opportunity for hearing to an eligible lender, finds that it has substantially failed to exercise such care and diligence or to make the reports and statements required under section 428(a)(3) and section 429(a)(3), or to pay the required Federal loan insurance premiums, he shall disqualify that lender for further Federal insurance on loans granted pursuant to this part until he is satisfied that its failure has ceased and finds that there is reasonable assurance that the lender will in the future exercise necessary care and diligence or comply with such requirements, as the case may be.

(e) As used in this section—

(1) the term "insurance beneficiary" means the insured or its authorized assignee in accordance with section 429(d); and "Insurance beneficiary."

(2) the term "default" includes only such defaults as have existed for (A) one hundred and twenty days in the case of a loan which is repayable in monthly installments, or (B) one hundred and eighty days in the case of a loan which is repayable in less frequent installments. "Default."

INSURANCE FUND

SEC. 431. (a) There is hereby established a student loan insurance fund (hereinafter in this section called the "fund") which shall be available without fiscal year limitation to the Commissioner for making payments in connection with the default of loans insured by him under this part. All amounts received by the Commissioner as premium charges for insurance and as receipts, earnings, or proceeds derived from any claim or other assets acquired by the Commissioner in connection with his operations under this part, and any other moneys, property, or assets derived by the Commissioner from his operations in connection with this section, shall be deposited in the fund. All payments in connection with the default of loans insured by the Commissioner under this part shall be paid from the fund. Moneys in the fund not needed for current operations under this section may be invested in bonds or other obligations guaranteed as to principal and interest by the United States. Establishment.

(b) If at any time the moneys in the fund are insufficient to make payments in connection with the default of any loan insured by the Commissioner under this part, the Commissioner is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at 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 of Insufficient moneys.

comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include any purchases of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this subsection shall be deposited in the fund and redemption of such notes and obligations shall be made by the Commissioner from such fund.

40 Stat. 288.
31 USC 774.

LEGAL POWERS AND RESPONSIBILITIES

SEC. 432. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this part, the Commissioner may—

(1) prescribe such regulations as may be necessary to carry out the purposes of this part;

(2) sue and be sued in any court of record of a State having general jurisdiction or in any district court of the United States, and such district courts shall have jurisdiction of civil actions arising under this part without regard to the amount in controversy, and any action instituted under this subsection by or against the Commissioner shall survive notwithstanding any change in the person occupying the office of Commissioner or any vacancy in that office; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Commissioner or property under his control, and nothing herein shall be construed to except litigation arising out of activities under this part from the application of sections 507(b) and 2679 of title 28 of the United States Code and of section 367 of the Revised Statutes (5 U.S.C. 316);

62 Stat. 910, 984; 75 Stat. 539.

(3) include in any contract for Federal loan insurance such terms, conditions, and covenants relating to repayment of principal and payment of interest, relating to his obligations and rights and to those of eligible lenders, and borrowers in case of default, and relating to such other matters as the Commissioner determines to be necessary to assure that the purposes of this part will be achieved; and any term, condition, and covenant made pursuant to this clause or any other provisions of this part may be modified by the Commissioner if he determines that modification is necessary to protect the financial interest of the United States;

(4) subject to the specific limitations in this part, consent to the modification, with respect to rate of interest, time of payment of any installment of principal and interest or any portion thereof, or any other provision of any note or other instrument evidencing a loan which has been insured by him under this part;

(5) enforce, pay, or compromise, any claim on, or arising because of, any such insurance; and

(6) enforce, pay, compromise, waive, or release any right, title, claim, lien, or demand, however acquired, including any equity or any right or redemption.

(b) The Commissioner shall, with respect to the financial operations arising by reason of this part—

(1) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act; and

59 Stat. 597. 31 USC 841 note. GAO audit.

(2) maintain with respect to insurance under this part an integral set of accounts, which shall be audited annually by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions, as provided by section 105 of the Government Corporation Control Act, except that the transactions of the Commissioner, including the settlement of insurance claims and of claims for payments pursuant to section 428, and transactions related thereto and vouchers approved by the Commissioner in connection with such transactions, shall be final and conclusive upon all accounting and other officers of the Government.

ADVISORY COUNCIL ON INSURED LOANS TO STUDENTS

Establishment.

SEC. 433. (a) The Secretary shall establish in the Office of Education an Advisory Council on Insured Loans to Students, consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Secretary. The membership of the Council shall include persons representing State loan insurance programs, private nonprofit loan insurance programs, financial and credit institutions, and institutions of higher education.

(b) The Advisory Council shall advise the Commissioner with respect to policy matters arising in the administration of this part, including policies and procedures governing the making of advances under section 422 and the Federal payments to reduce student interest costs under section 428.

Compensation.

(c) Members of the Advisory Council who are not regular full-time employees of the United States shall, while serving on the business of the Council, 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, members 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.

60 Stat. 808; 75 Stat. 339, 340.

PARTICIPATION BY FEDERAL CREDIT UNIONS IN FEDERAL, STATE, AND PRIVATE STUDENT LOAN INSURANCE PROGRAMS

SEC. 434. Notwithstanding any other provision of law, Federal credit unions shall, pursuant to regulations of the Director of the Bureau of Federal Credit Unions, have power to make insured loans up to 10 per centum of their assets, to student members in accordance with the provisions of this part relating to federally insured loans, or in accordance with the provisions of any State or nonprofit private student loan insurance program which meets the requirements of section 428(a)(1)(C).

DEFINITIONS FOR REDUCED-INTEREST STUDENT LOAN INSURANCE PROGRAM

SEC. 435. As used in this part:

(a) The term "eligible institution" means an educational institution in any State which (1) admits as regular students only persons

having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose or, if not so accredited, (A) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (B) is an institution 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. Such term also includes any public or other nonprofit collegiate or associate degree school of nursing and any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses (1), (2), (4), and (5). If the Commissioner determines that a particular category of such schools does not meet the requirements of clause (5) because there is no nationally recognized accrediting agency or association qualified to accredit schools in such category, he shall, pending the establishment of such an accrediting agency or association, appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools in such category, which shall (i) prescribe the standards of content, scope, and quality which must be met in order to qualify schools in such category to participate in the program pursuant to this part, and (ii) determine whether particular schools not meeting the requirements of clause (5) meet those standards. For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(b) The term "collegiate school of nursing" means a department, division, or other administrative unit in a college or university which provides primarily or exclusively an accredited program of education in professional nursing and allied subjects leading to the degree of bachelor of arts, bachelor of science, bachelor of nursing, or to an equivalent degree, or to a graduate degree in nursing.

(c) The term "associate degree school of nursing" means a department, division, or other administrative unit in a junior college, community college, college, or university which provides primarily or exclusively an accredited two-year program of education in professional nursing and allied subjects leading to an associate degree in nursing or to an equivalent degree.

(d) The term "accredited" when applied to any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education.

(e) The term "eligible lender" means an eligible institution, an agency or instrumentality of a State, or a financial or credit institution (including an insurance company) which is subject to examination and supervision by an agency of the United States or of any State.

(f) The term "line of credit" means an arrangement or agreement between the lender and the borrower whereby a loan is paid out by the

lender to the borrower in annual installments, or whereby the lender agrees to make, in addition to the initial loan, additional loans in subsequent years.

PART C—COLLEGE WORK-STUDY PROGRAM EXTENSION AND AMENDMENTS

TRANSFER OF AUTHORITY AND OTHER AMENDMENTS

SEC. 441. Parts C and D of title I of the Economic Opportunity Act of 1964 (Public Law 88-452) are amended as follows:

(1) By striking out "Director" in the first sentence of section 122(a) and inserting in lieu thereof "Commissioner of Education (hereinafter in this part referred to as the 'Commissioner')", and by striking out "Director" wherever that word appears in the other provisions of such part C and inserting in lieu thereof "Commissioner"; 78 Stat. 514. 42 USC 2752.

(2) By amending that part of section 121 that follows the section designation to read as follows: "The purpose of this part is to stimulate and promote the part-time employment of students, particularly students from low-income families, in institutions of higher education who are in need of the earnings from such employment to pursue courses of study at such institutions."; 42 USC 2751.

(3) By striking out section 123 and inserting in lieu thereof the following:

"GRANTS FOR WORK-STUDY PROGRAMS

"SEC. 123. (a) The Commissioner is authorized to enter into agreements with institutions of higher education under which the Commissioner will make grants to such institutions to assist in the operation of work-study programs as hereinafter provided.

"(b) For the purposes of this part— Definitions.

"(1) The term 'institution of higher education' means an educational institution in any State which (A) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, (B) is legally authorized within such State to provide a program of education beyond secondary education, (C) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (D) is a public or other nonprofit institution, and (E) is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose or, if not so accredited, (i) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (ii) is an institution 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. Such term also includes any public or other nonprofit collegiate or associate degree school of nursing and any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses (A), (B), (D), and (E). If the Commissioner determines that a particular category of such schools does not meet the requirements of

clause (E) because there is no nationally recognized accrediting agency or association qualified to accredit schools in such category, he shall, pending the establishment of such an accrediting agency or association, appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools in such category, which shall (I) prescribe the standards of content, scope, and quality which must be met in order to qualify schools in such category to participate in the program pursuant to this part, and (II) determine whether particular schools not meeting the requirements of clause (E) meet those standards. For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

"(2) The term 'collegiate school of nursing' means a department, division, or other administrative unit in a college or university which provides primarily or exclusively an accredited program of education in professional nursing and allied subjects leading to the degree of bachelor of arts, bachelor of science, bachelor of nursing, or to an equivalent degree, or to a graduate degree in nursing.

"(3) The term 'associate degree school of nursing' means a department, division, or other administrative unit in a junior college, community college, college, or university which provides primarily or exclusively an accredited two-year program of education in professional nursing and allied subjects leading to an associate degree in nursing or to an equivalent degree.

"(4) The term 'accredited' when applied to any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner.";

78 Stat. 514.
42 USC 2754.

(4) By striking out section 124(a) and inserting in lieu thereof the following:

"(a) provide for the operation by the institution of a program for the part-time employment of its students in work for the institution itself or work in the public interest for a public or private nonprofit organization under an arrangement between the institution and such organization, and such work—

"(1) will not result in the displacement of employed workers or impair existing contracts for services,

"(2) will be governed by such conditions of employment as will be appropriate and reasonable in light of such factors as type of work performed, geographical region, and proficiency of the employee, and

"(3) does not involve the construction, operation, or maintenance of so much of any facility as is used or is to be used for sectarian instruction or as a place for religious worship;";

(5) By redesignating clauses (2), (3), and (4), of paragraph (c) of section 124 as clauses (1), (2), and (3), and by striking out so much of such paragraph as precedes such redesignated clauses and inserting in lieu thereof the following: "(c) provide that in the selection of students for employment under such work-study program preference shall be given to students from low-income families and that employment under such work-study program shall be furnished only to a student who";

42 USC 2755.

(6) By inserting before the period at the end of section 125 a comma and the following: "and such share may be paid to such student in the form of services and equipment (including tuition, room, board, and books) furnished by such institution"; and

42 USC 2761.

(7) By striking out "provided for in" in section 131 and inserting in lieu thereof "for which he is responsible under".

APPROPRIATIONS AUTHORIZED

SEC. 442. There are authorized to be appropriated $129,000,000 for the fiscal year ending June 30, 1966, $165,000,000 for the fiscal year ending June 30, 1967, and $200,000,000 for the fiscal year ending June 30, 1968, to carry out the purposes of part C of title I of the Economic Opportunity Act of 1964 (Public Law 88-452). Any sums which are appropriated for the fiscal year ending June 30, 1966, for the purpose of such part C pursuant to an authorization in the Economic Opportunity Act of 1964, or are allocated for such purpose from any appropriation for such year, shall be made available, to the extent unexpended on the date of enactment of this Act, to the Commissioner for carrying out such part C, and the total of such sums (including amounts expended prior to such date) shall be deducted from the authorization in this section for such year. Sixty million dollars of the authorization for title I of the Economic Opportunity Act of 1964 for the fiscal year ending June 30, 1966, as contained in section 131 of such Act, shall be only for the purpose of part C of such title. No provision in the Economic Opportunity Act of 1964 which authorizes the appropriation of funds to carry out that Act shall apply to such part C after June 30, 1966.

78 Stat. 513.
42 USC 2751-2756.

42 USC 2761.

PART D—AMENDMENTS TO NATIONAL DEFENSE EDUCATION ACT OF 1958

DEFINITION OF INSTITUTION OF HIGHER EDUCATION

SEC. 461. Section 103(b) of the National Defense Education Act of 1958 is amended to read as follows:

72 Stat. 1582.
20 USC 403.

"(b) The term 'institution of higher education' means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose or, if not so accredited, (A) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (B) is an institution 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. For purposes of title II, such term includes any school of nursing as defined in subsection (1) of this section, and also includes any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses (1), (2), (4), and (5). If the Commissioner determines that a particular category of such schools does not meet the requirements of clause (5) because there is no nationally recognized accrediting agency or association qualified to accredit schools in such category, he shall, pending the establishment of such an accrediting agency or association, appoint an advisory committee, composed of

20 USC 421-429.
78 Stat. 1100.

persons specially qualified to evaluate training provided by schools in such category, which shall (i) prescribe the standards of content, scope, and quality which must be met in order to qualify schools in such category to participate in the student loan program under title II, and (ii) determine whether particular schools not meeting the requirements of clause (5) meet those standards. For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered."

CONDITIONS OF AGREEMENTS; ADMINISTRATIVE COSTS

72 Stat. 1584.
20 USC 424.

SEC. 462. Clause (3) of section 204 of the National Defense Education Act of 1958 is amended to read as follows:

"(3) provide that such student loan fund shall be used only for (A) loans to students in accordance with such agreement, (B) capital distributions as provided in this title, (C) routine expenses incurred by the institution in administering the student loan fund, except that the amount withdrawn from such student loan fund for such routine expenses by an institution in any fiscal year may not exceed either (i) one-half of such routine expenses as estimated for that year by the Commissioner with the advice of an advisory committee which the Commissioner is hereby authorized to appoint on an annual or such other basis as he may deem appropriate, or (ii) 1 per centum of the aggregate of the outstanding loans made from that fund as of the close of that year, whichever is the lesser, and (D) costs of litigation, and other collection costs agreed to by the Commissioner, arising in connection with the collection of any loan from the fund, interest on such loan, or charge assessed with respect to that loan pursuant to section 205(c);".

Post, p. 1254.

TECHNICAL AMENDMENT FOR PART-TIME STUDENTS

20 USC 425.

SEC. 463. (a) The portion of section 205(b)(2) of the National Defense Education Act of 1958 which precedes clause (A)(ii) thereof is amended to read as follows:

"(2) such a loan shall be evidenced by a note or other written agreement which provides for repayment of the principal amount, together with interest thereon, in equal installments (or, if the borrower so requests, in graduated periodic installments determined in accordance with such schedules as may be approved by the Commissioner) payable quarterly, bimonthly, or monthly (at the option of the institution) over a period beginning nine months after the date on which the borrower ceases to carry, at an institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner, at least one-half the normal full-time academic workload as determined by that institution, and ending ten years and nine months after such date, except that (A) interest shall not accrue on any such loan, and installments need not be paid during any period (i) during which the borrower is carrying, at an institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner, at least one-half the normal full-time academic workload as determined by the institution,".

78 Stat. 1102.

(b) Clause (D) of such section 205(b)(2) is amended by striking out "periodic", and by striking out "part-time" and inserting in lieu thereof "less than half-time".

(c) The amendments made by this section shall apply to a loan outstanding on the date of enactment of this Act only with the consent of the borrower and the institution which made the loan.

MINIMUM RATE OF REPAYMENT

SEC. 464. (a) Section 205(b)(2) of the National Defense Education Act of 1958 is further amended by striking out "and" before "(E)" and by inserting at the end thereof before the semicolon ", and (F) the institution may provide, in accordance with regulations of the Commissioner, that during the repayment period of the loan payments of principal and interest by the borrower with respect to all the outstanding loans made to him from loan funds established pursuant to this title shall be at a rate equal to not less than $15 per month".

72 Stat. 1584.
20 USC 425.

(b) The amendment made by this section shall be applicable only with respect to loans made after the date of enactment of this Act.

CANCELLATION OF LOANS FOR TEACHERS

SEC. 465. (a) Section 205(b)(3) of the National Defense Education Act of 1958 is amended—

78 Stat. 1102.

(1) by inserting "total" before "amount" and by striking out ", which was unpaid on the first day of such service";

(2) by inserting "or its equivalent (as determined under regulations of the Commissioner)" after "academic year"; and

(3) by inserting before the semicolon at the end thereof a comma and the following: "except that (A) such rate shall be 15 per centum for each complete academic year or its equivalent (as determined under regulations of the Commissioner) of service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title II of Public Law 874, Eighty-first Congress, as amended, and which for purposes of this clause and for that year has been determined by the Commissioner, pursuant to regulations and after consultation with the State educational agency of the State in which the school is located, to be a school in which there is a high concentration of students from low-income families, except that the Commissioner shall not make such determination with respect to more than 25 per centum of the total of the public and other nonprofit elementary and secondary schools in any one State for any one year, and (B) for the purposes of any cancellation pursuant to clause (A), an additional 50 per centum of any such loan (plus interest) may be cancelled but nothing in this paragraph shall authorize refunding any payment".

Ante, p. 27.

(b) The amendments made by clauses (1) and (3) of subsection (a) shall apply with respect to service performed during academic years beginning after the date of enactment of this Act, whether the loan was made before or after such enactment. The amendment made by clause (2) of subsection (a) shall apply with respect to service performed during academic years beginning after the enactment of the National Defense Education Act Amendments, 1964, Public Law 88-665, whether or not the loan was made before or after such enactment.

78 Stat. 1100.
20 USC 401 note.

CHARGES

SEC. 466. (a) Section 205 of the National Defense Education Act of 1958 is further amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) Pursuant to regulations of the Commissioner, an institution may assess a charge with respect to a loan from the loan fund established by the institution pursuant to this title for failure of the borrower to pay all or any part of an installment when it is due and, in the case of a borrower who is entitled to deferment benefits under section 205(b)(2) or cancellation benefits under section 205(b)(3), for any failure to file timely and satisfactory evidence of such entitlement. The amount of any such charge may not exceed—

Ante, pp. 1252, 1253.

"(1) in the case of a loan which is repayable in monthly installments, $1 for the first month or part of a month by which such installment or evidence is late and $2 for each such month or part of a month thereafter; and

"(2) in the case of a loan which has a bimonthly or quarterly repayment interval, $3 and $6, respectively, for each such interval or part thereof by which such installment or evidence is late.

The institution may elect to add the amount of any such charge to the principal amount of the loan as of the first day after the day on which such installment or evidence was due, or to make the amount of the charge payable to the institution not later than the due date of the next installment after receipt by the borrower of notice of the assessment of the charge."

72 Stat. 1584. 20 USC 424.

(b) Clause (2) of section 204 of such Act is amended by striking out "and (D)" and inserting in lieu thereof "(D) charges collected pursuant to section 205(c), and (E)".

(c) The amendment made by subsection (a) shall be applicable only with respect to loans made after the date of enactment of this Act.

ECONOMICS, CIVICS, AND INDUSTRIAL ARTS

78 Stat. 1103. 20 USC 443.

SEC. 467. (a)(1) Clauses (1) and (5) of section 303(a) of the National Defense Education Act of 1958 are each amended by inserting "economics," after "geography,".

20 USC 441.

(2) Section 301 of such Act is amended by striking out "and $90,000,000 for the fiscal year ending June 30, 1965, and for each of the three succeeding fiscal years" and inserting in lieu thereof "$90,000,000 for the fiscal year ending June 30, 1965, and $100,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years".

20 USC 591.

(b) Section 1101 of such Act is amended—

(1) by striking out "each of the three succeeding fiscal years" and inserting in lieu thereof "$50,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years"; and

(2) by inserting "economics, civics, industrial arts," after "geography,".

TITLE V—TEACHER PROGRAMS

PART A—GENERAL PROVISIONS

ADVISORY COUNCIL ON QUALITY TEACHER PREPARATION

Establishment.

SEC. 501. (a) The Commissioner shall establish in the Office of Education an Advisory Council on Quality Teacher Preparation for the purpose of reviewing the administration and operation of the programs carried out under this title and of all other Federal programs for complementary purposes. This review shall pay particular attention to the effectiveness of these programs in attracting, preparing, and retaining highly qualified elementary and secondary school teachers,

and it shall include recommendations for the improvement of these programs. The Council shall consist of the Commissioner, who shall be Chairman, and twelve members appointed for staggered terms and without regard to the civil service laws, by the Commissioner with the approval of the Secretary. Such twelve members shall include persons knowledgeable with respect to teacher preparation and the needs of urban and rural schools, and representatives of the general public.

Compensation.

(b) Members of such Advisory Council who are not regular full-time employees of the United States shall, while attending meetings or conferences of such Council or otherwise engaged on business of such Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, 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 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.

(c) The Council may appoint an Executive Secretary and such other employees as the Council deems necessary to carry out its functions under this title.

LIMITATION

SEC. 502. Nothing contained in this title shall be construed to authorize the making of any payment under this title for religious worship or instruction.

PART B—NATIONAL TEACHER CORPS

STATEMENT OF PURPOSE AND AUTHORIZATION OF APPROPRIATIONS

SEC. 511. (a) The purpose of this part is to strengthen the educational opportunities available to children in areas having concentrations of low-income families and to encourage colleges and universities to broaden their programs of teacher preparation by—

(1) attracting and training qualified teachers who will be made available to local educational agencies for teaching in such areas; and

(2) attracting and training inexperienced teacher-interns who will be made available for teaching and inservice training to local educational agencies in such areas in teams led by an experienced teacher.

(b) For the purpose of carrying out this part, there are authorized to be appropriated $36,100,000 for the fiscal year ending June 30, 1966, and $64,715,000 for the fiscal year ending June 30, 1967.

ESTABLISHMENT OF NATIONAL TEACHER CORPS

Establishment.

SEC. 512. In order to carry out the purposes of this part, there is hereby established in the Office of Education a National Teacher Corps (hereinafter referred to as the "Teacher Corps"). The Teacher Corps shall be headed by a Director who shall be compensated at the rate prescribed for grade 17 of the General Schedule of the Classification Act of 1949, and a Deputy Director who shall be compensated at the rate prescribed for grade 16 of such General Schedule. The Director and the Deputy Director shall perform such duties as are delegated to them by the Commissioner.

Ante, p. 1111.

TEACHER CORPS PROGRAM

SEC. 513. (a) For the purpose of carrying out this part, the Commissioner is authorized to—

(1) recruit, select, and enroll experienced teachers, and inexperienced teacher-interns who have a bachelor's degree or its equivalent, in the Teacher Corps for periods of up to two years;

(2) enter into arrangements, through grants or contracts, with institutions of higher education or State or local educational agencies to provide members of the Teacher Corps with such training as the Commissioner may deem appropriate to carry out the purposes of this part, including not more than three months of training for members before they undertake their teaching duties under this part;

(3) enter into arrangements (including the payment of the cost of such arrangements) with local educational agencies, after consultation in appropriate cases with State educational agencies and institutions of higher education, to furnish to local educational agencies, for service during regular or summer sessions, or both, in the schools of such agencies in areas having concentrations of children from low-income families, either or both (A) experienced teachers, or (B) teaching teams, each of which shall consist of an experienced teacher and a number of teacher-interns who, in addition to teaching duties, shall be afforded time by the local educational agency for a teacher-intern training program developed according to criteria established by the Commissioner and carried out under the guidance of the experienced teacher in cooperation with an institution of higher education; and

(4) pay to local educational agencies the amount of the compensation which such agencies pay to or on behalf of members of the Teacher Corps assigned to them pursuant to arrangements made pursuant to the preceding clause.

(b) Arrangements with institutions of higher education to provide training for teacher-interns while teaching in schools for local educational agencies under the provisions of this part shall provide, wherever possible, for training leading to a graduate degree.

(c)(1) Whenever the Commissioner determines that the demand for the services of experienced teachers or of teaching teams furnished pursuant to clause (3) of subsection (a) exceeds the number of experienced teachers or teaching teams available from the Teacher Corps, the Commissioner shall, to the extent practicable, allocate experienced teachers or teaching teams, as the case may be, from the Teacher Corps among the States in accordance with paragraph (2).

(2) Not to exceed 2 per centum of such teachers or teams, as the case may be, shall be allocated to Puerto Rico, and the Virgin Islands according to their respective needs. The remainder of such teams or teachers, as the case may be, shall be allocated among the other States in proportion to the number of children counted in each State for the purpose of determining the amount of basic grants made under section 203 of title II of Public Law 874, Eighty-first Congress, as amended, for the fiscal year for which the allocation is made.

Ante, p. 28.

(d) A local educational agency may utilize members of the Teacher Corps assigned to it in providing, in the manner described in section 205(a)(2) of Public Law 874, Eighty-first Congress, as amended, educational services in which children enrolled in private elementary and secondary schools can participate.

COMPENSATION

SEC. 514. (a) An arrangement made with a local educational agency pursuant to paragraph (3) of section 513(a) shall provide for compensation by such agency of Teacher Corps members during the period of their assignment to it at the following rates:

(1) an experienced teacher who is not leading a teaching team shall be compensated at a rate which is equal to the rate paid by such agency for a teacher with similar training and experience who has been assigned similar teaching duties;

(2) an experienced teacher who is leading a teaching team shall be compensated at a rate agreed to by such agency and the Commissioner; and

(3) a teacher-intern shall be compensated at a rate which is equal to the lowest rate paid by such agency for teaching full time in the school system and grade to which the intern is assigned.

(b) For any period of training under this part the Commissioner shall pay to members of the Teacher Corps such stipends (including allowances for subsistence and other expenses for such members and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported training programs.

(c) The Commissioner shall pay the necessary travel expenses of members of the Teacher Corps and their dependents and necessary expenses for the transportation of the household goods and personal effects of such members and their dependents, and such other necessary expenses of members as are directly related to their service in the Corps, including readjustment allowances proportionate to service.

(d) The Commissioner is authorized to make such arrangements as may be possible, including the payment of any costs incident thereto, to protect the tenure, retirement rights, participation in a medical insurance program, and such other similar employee benefits as the Commissioner deems appropriate, of a member of the Teacher Corps who participates in any program under this part and who indicates his intention to return to the local educational agency or institution of higher education by which he was employed immediately prior to his service under this part.

APPLICATION OF PROVISIONS OF FEDERAL LAW

SEC. 515. (a) Except as otherwise specifically provided in this section, a member of the Teacher Corps shall be deemed not to be a Federal employee and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(b)(1) Such members shall, for the purposes of the administration of the Federal Employees' Compensation Act (5 U.S.C. 751 et seq.), be deemed to be civil employees of the United States within the meaning of the term "employee" as defined in section 40 of such Act (5 U.S.C. 790) and the provisions thereof shall apply except as hereinafter provided.

39 Stat. 742.

63 Stat. 860.

(2) For purposes of this subsection:

"Performance of duty."

(A) the term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of a member of the Teacher Corps—

(i) while on authorized leave; or

(ii) while absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Commissioner; and

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

Ante, p. 1111.

(B) in computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of a member of the Teacher Corps shall be deemed to be his actual pay or that received under the entrance salary for grade 6 of the General Schedule of the Classification Act of 1949, whichever is greater.

62 Stat. 982. 28 USC 2671-2680.

(c) Such members shall be deemed to be employees of the Government for the purposes of the Federal tort claims provisions of title 28, United States Code.

LOCAL CONTROL PRESERVED

SEC. 516. Members of the Teacher Corps shall be under the direct supervision of the appropriate officials of the local educational agencies to which they are assigned. Except as otherwise provided in clause (3) of section 513(a), such agencies shall retain the authority to—

(1) assign such members within their systems;

(2) make transfers within their systems;

(3) determine the subject matter to be taught;

(4) determine the terms and continuance of the assignment of such members within their systems.

MAINTENANCE OF EFFORT

SEC. 517. No member of the Teacher Corps shall be furnished to any local educational agency under the provisions of this part if such agency will use such member to replace any teacher who is or would otherwise be employed by such agency.

PART C—FELLOWSHIPS FOR TEACHERS

STATEMENT OF PURPOSE

SEC. 521. The Congress hereby declares it to be the policy of the United States to improve the quality of education offered by the elementary and secondary schools of the Nation by improving the quality of the education of persons who are pursuing or who plan to pursue a career in elementary and secondary education. The purpose of this part is to carry out this policy by awarding fellowships for graduate study at institutions of higher education and by developing or strengthening teacher education programs in institutions of higher education. For the purpose of this part the term "career in elementary and secondary education" means a career of teaching in elementary or secondary schools, a career of teaching, guiding, or supervising such teachers or persons who plan to become such teachers, or a career in fields which are directly related to teaching in elementary or secondary schools, such as library science, school social work, guidance and counseling, educational media, and special education for handicapped children.

"Career in elementary and secondary education."

FELLOWSHIPS AUTHORIZED

SEC. 522. (a) The Commissioner is authorized to award not to exceed four thousand five hundred fellowships for the fiscal year ending June 30, 1966, ten thousand fellowships for the fiscal year ending June 30, 1967, and ten thousand fellowships for the fiscal year ending June 30, 1968. Fellowships awarded under the provisions of this part shall be for graduate study leading to an advanced degree other than a doctor of philosophy, or equivalent degree, for persons

who are pursuing or plan to pursue a career in elementary and secondary education. Such fellowships shall be awarded as provided in sections 523 and 524 of this part and for such periods as the Commissioner may determine but not to exceed twenty-four months.

(b) In addition to the number of fellowships authorized to be awarded by subsection (a) of this section, the Commissioner is authorized to award fellowships equal to the number previously awarded during any fiscal year under this part but vacated prior to the end of the period for which they were awarded; except that each fellowship awarded under this subsection shall be for such period of study, not in excess of the remainder of the period for which the fellowship which it replaces was awarded, as the Commissioner may determine.

ALLOCATION OF FELLOWSHIPS

SEC. 523. The Commissioner shall allocate fellowships under this part to institutions of higher education with programs approved under the provisions of section 524(a) for the use of individuals accepted into such programs, in such manner and according to such plan as will most nearly—

(1) provide an equitable distribution of such fellowships throughout the States, except that to the extent he deems proper in the national interest after consultation with the Advisory Council on Quality Teacher Preparation the Commissioner may give preference to programs designed to meet an urgent national need, and

Ante, p. 1254.

(2) encourage experienced teachers in elementary or secondary schools and other experienced personnel in elementary or secondary education to enter graduate programs, attract recent college graduates to pursue a career in elementary and secondary education, and afford opportunities for college graduates engaged in other occupations or activities to pursue or return to a career in elementary and secondary education.

APPROVAL OF PROGRAMS; GRANTS

SEC. 524. (a) The Commissioner shall approve a graduate program of an institution of higher education only upon application by the institution and only upon his finding—

(1) that such program will substantially further the objective of improving the quality of education of persons who are pursuing or intend to pursue a career in elementary and secondary education,

(2) that such program gives emphasis to high-quality substantive courses,

(3) that such program is of high quality and either is in effect or readily attainable, and

(4) that only persons who demonstrate a serious intent to pursue or to continue a career in elementary and secondary education will be accepted for study in the program.

(b) For the purpose of obtaining an appropriate geographical distribution of high-quality programs for the training of personnel for elementary or secondary education, the Commissioner is authorized to make grants to and contracts with institutions of higher education to pay part of the cost of developing or strengthening graduate programs which meet the requirements of subsection (a).

Experts and consultants.

60 Stat. 810.

(c) The Commissioner may employ experts and consultants, as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), to advise him with respect to the making of grants and contracts and the approving of programs under this section, and he shall set forth in regulations the standards and priorities which will be utilized in approving such grants and contracts. Experts and consultants employed pursuant to this subsection may be compensated while so employed at rates not in excess of $100 per diem, including travel time, and may be allowed while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

60 Stat. 808; 75 Stat. 339, 340.

STIPENDS

SEC. 525. (a) The Commissioner shall pay to persons awarded fellowships under this part such stipends (including such allowances for subsistence and other expenses for such persons and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported programs.

(b) In addition to the amounts paid to persons pursuant to subsection (a), the Commissioner shall pay to the institution of higher education at which such person is pursuing his course of study an amount equivalent to $2,500 per academic year, less any amount charged such person for tuition and nonrefundable fees and deposits.

LIMITATION

SEC. 526. No fellowships shall be awarded under this part for study at a school or department of divinity. For the purposes of this section, the term "school or department of divinity" means an institution or 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.

"School or department of divinity."

FELLOWSHIP CONDITIONS

SEC. 527. A person awarded a fellowship under the provisions of this part shall continue to receive the payments provided in section 525(a) only during such periods as the Commissioner finds that he is maintaining satisfactory proficiency and devoting full time to study or research in the field in which such fellowship was awarded in an institution of higher education, and is not engaging in gainful employment other than such part-time employment in teaching, research, or similar activities related to his training as has been approved by the Commissioner.

APPROPRIATIONS

SEC. 528. There are hereby authorized to be appropriated to carry out this part $40,000,000 for the fiscal year ending June 30, 1966, $160,000,000 for the fiscal year ending June 30, 1967, $275,000,000 for the fiscal year ending June 30, 1968, and such sums for the two succeeding fiscal years as may be necessary to enable persons who have been awarded fellowships prior to July 1, 1968, to complete their study under the fellowships.

TITLE VI—FINANCIAL ASSISTANCE FOR THE IMPROVEMENT OF UNDERGRADUATE INSTRUCTION

PART A—EQUIPMENT

STATEMENT OF PURPOSE AND AUTHORIZATION OF APPROPRIATIONS

SEC. 601. (a) The purpose of this part is to improve the quality of classroom instruction in selected subject areas in institutions of higher education.

(b) There are hereby authorized to be appropriated $35,000,000 for the fiscal year ending June 30, 1966, $50,000,000 for the fiscal year ending June 30, 1967, and $60,000,000 for the fiscal year ending June 30, 1968, to enable the Commissioner to make grants to institutions of higher education pursuant to this part for the acquisition of equipment and for minor remodeling described in section 603(2)(A).

(c) There are also authorized to be appropriated $2,500,000 for the fiscal year ending June 30, 1966, and $10,000,000 for the fiscal year ending June 30, 1967, and for the succeeding fiscal year, to enable the Commissioner to make grants to institutions of higher education pursuant to this part for the acquisition of television equipment and for minor remodeling described in section 603(2)(B).

(d) There is also authorized to be appropriated a sum not exceeding $1,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years, to enable the Commissioner to make grants in such amounts as he may consider necessary for the proper and efficient administration of the State plans approved under this part including expenses which he determines are necessary for the preparation of such plans.

(e) For the fiscal year ending June 30, 1969, and for the succeeding fiscal year, there may be appropriated for the purposes set forth in subsections (b), (c), and (d) of this section, only such sums as the Congress may hereafter authorize by law.

ALLOTMENTS TO STATES

SEC. 602. (a)(1) Of the funds appropriated pursuant to subsections (b) and (c) of section 601 for any fiscal year one-half shall be allotted by the Commissioner among the States so that the allotment to each State will be an amount which bears the same ratio to such one-half as the number of students enrolled in institutions of higher education in such State bears to the total number of students enrolled in such institutions in all the States; and the remaining one-half shall be allotted by him among the States in accordance with paragraph (2) of this subsection. For the purposes of this subsection, (A) the number of students enrolled in institutions of higher education shall be deemed to be equal to the sum of (i) the number of full-time students and (ii) the full-time equivalent of the number of part-time students as determined by the Commissioner in accordance with regulations; and (B) determinations as to enrollment shall be made by the Commissioner on the basis of data for the most recent year for which satisfactory data with respect to such enrollment are available to him.

(2) For the purposes of this paragraph the Commissioner shall allot to each State for each fiscal year an amount which bears the same ratio to the funds being allotted pursuant to this paragraph as the product of—

(A) the number of students enrolled in institutions of higher education in such State, and

(B) the State's allotment ratio,

bears to the sum of the corresponding products for all the States. For the purposes of this paragraph the allotment ratio for any State shall be 1.00 less the product of (i) 0.50 and (ii) the quotient obtained by dividing the income per person for the State by the income per person for all the States (not including Puerto Rico, the Virgin Islands, American Samoa, and Guam), except that the allotment ratio shall in no case be less than 0.33⅓ or more than 0.66⅔, and the allotment ratio for Puerto Rico, the Virgin Islands, American Samoa, and Guam shall be 0.66⅔. The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this Act, and annually thereafter, on the basis of the average of the incomes per person of the States and of all the States for the three most recent consecutive calendar years for which satisfactory data are available from the Department of Commerce.

(b)(1) A State's allotment under subsection (a) from funds appropriated pursuant to section 601(b) shall be available in accordance with the provisions of this part for payment of the Federal share (as determined under section 604) of the cost of equipment and minor remodeling described in section 603(2)(A).

(2) A State's allotment under subsection (a) from funds appropriated pursuant to section 601(c) shall be available in accordance with the provisions of this part for payment of the Federal share (as determined under section 604) of the cost of television equipment and minor remodeling described in section 603(2)(B).

(c) Sums allotted to a State for the fiscal year ending June 30, 1966, shall remain available for reservation as provided in section 606 until the close of the next fiscal year, in addition to the sums allotted to such State for such next fiscal year. Sums allotted to a State for the fiscal year ending June 30, 1967, or for any succeeding fiscal year, which are not reserved as provided in section 606 by the close of the fiscal year for which they are allotted, shall be reallotted by the Commissioner, on the basis of such factors as he determines to be equitable and reasonable, among the States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted. Amounts reallotted under this subsection shall be available for reservation until the close of the fiscal year next succeeding the fiscal year for which they were originally allotted.

STATE COMMISSIONS AND PLANS

SEC. 603. Any State desiring to participate in the program under this part shall designate for that purpose an existing State agency which is broadly representative of the public and of institutions of higher education in the State, or, if no such State agency exists, shall establish such a State agency, and submit to the Commissioner through the agency so designated or established (hereafter in this part referred to as the "State commission"), a State plan for such participation. The Commissioner shall approve any such plan which—

(1) provides that it shall be administered by the State commission;

(2) sets forth, consistently with basic criteria prescribed by regulation pursuant to section 604, objective standards and methods (A) for determining the relative priorities of eligible projects for the acquisition of laboratory and other special equipment (other than supplies consumed in use), including audio-

visual materials and equipment for classrooms or audiovisual centers, and printed and published materials (other than textbooks) for classrooms or libraries, suitable for use in providing education in science, mathematics, foreign languages, history, geography, government, English, other humanities, the arts, or education at the undergraduate level in institutions of higher education, and minor remodeling of classroom or other space used for such materials or equipment; (B) for determining relative priorities of eligible projects for (i) the acquisition of television equipment for closed-circuit direct instruction in such fields in such institutions (including equipment for fixed-service instructional television, as defined by the Federal Communications Commission, but not including broadcast transmission equipment), (ii) the acquisition of necessary instructional materials for use in such television instruction, and (iii) minor remodeling necessary for such television equipment; and (C) for determining the Federal share of the cost of each such project;

(3) provides (A) for assigning priorities solely on the basis of such criteria, standards, and methods to eligible projects submitted to the State commission and deemed by it to be otherwise approvable under the provisions of this part; and (B) for approving and recommending to the Commissioner, in the order of such priority, applications covering such eligible projects, and for certifying to the Commissioner the Federal share, determined by the State commission under the State plan, of the cost of the project involved;

(4) provides for affording to every applicant, which has submitted to the Station commission a project, an opportunity for a fair hearing before the commission as to the priority assigned to such project or as to any other determination of the commission adversely affecting such applicant; and

(5) provides (A) 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 State commission under this part, and (B) for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this part.

BASIC CRITERIA FOR DETERMINING PRIORITIES, FEDERAL SHARE, AND MAINTENANCE OF EFFORT

SEC. 604. (a) As soon as practicable after the enactment of this Act the Commissioner shall by regulation prescribe basic criteria to which the provisions of State plans setting forth standards and methods for determining relative priorities of eligible projects, and the application of such standards and methods to such projects under such plans, shall be subject. Such basic criteria (1) shall be such as will best tend to achieve the objectives of this part while leaving opportunity and flexibility for the development of State plan standards and methods that will best accommodate the varied needs of institutions in the several States, and (2) shall give special consideration to the financial need of the institution. Subject to the foregoing requirements, such regulations may establish additional and appropriate basic criteria, including provision for considering the degree to which applicant institutions are effectively utilizing existing facilities and equipment, provision for allowing State plans to group or provide for grouping, in a reasonable manner, facilities or institutions according to functional or educational type for priority purposes, and, in view of the national objectives of this Act. provision for considering the degree to which

the institution serves students from two or more States or from outside the United States; and in no event shall an institution's readiness to admit such out-of-State students be considered as a priority factor adverse to such institution.

Federal share.

(b) The Federal share for the purposes of this part shall not exceed 50 per centum of the cost of the project, except that a State commission may increase such share to not to exceed 80 per centum of such cost in the case of any institution proving insufficient resources to participate in the program under this part and inability to acquire such resources. 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 during such year for the same purposes as, but not pursuant to, this part an amount at least equal to the amount expended by such institution for such purposes during the previous fiscal year. The Commissioner shall establish basic criteria for making determinations under this subsection.

APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

SEC. 605. (a) Institutions of higher education which desire to obtain grants under this part shall submit applications therefor at such time or times and in such manner as may be prescribed by the Commissioner, and such applications shall contain such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to make the determinations required to be made by him under this part.

(b) The Commissioner shall approve an application covering a project under this part and meeting the requirements prescribed pursuant to subsection (a) if—

(1) the project has been approved and recommended by the appropriate State commission;

(2) the State commission has certified to the Commissioner, in accordance with the State plan, the Federal share of the cost of the project, and sufficient funds to pay such Federal share are available from the applicable allotment of the State (including any applicable reallotment to the State);

(3) the project has, pursuant to the State plan, been assigned a priority that is higher than that of all other projects within such State (chargeable to the same allotment) which meet all the requirements of this section (other than this clause) and for which Federal funds have not yet been reserved;

(4) the Commissioner determines that the project will be undertaken in an economical manner and will not be overly elaborate or extravagant; and

(5) the Commissioner determines that the application contains or is supported by satisfactory assurances—

(A) that Federal funds received by the applicant will be used solely for defraying the cost of the project covered by such application,

(B) that sufficient funds will be available to meet the non-Federal portion of such cost and to provide for the effective use of the equipment upon completion, and

(C) that the institution will meet the maintenance of effort requirement in section 604(b).

(b) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

AMOUNT OF GRANT—PAYMENT

SEC. 606. Upon his approval of any application for a grant under this part, the Commissioner shall reserve from the applicable allotment (including any applicable reallotment) available therefor, the amount of such grant, which (subject to the limits of such allotment or reallotment) shall be equal to the Federal share of the cost of the project covered by such application. The Commissioner shall pay such reserved amount, in advance or by way of reimbursement, and in such installments as he may determine. The Commissioner's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application covering such project or upon revision of the estimated cost of a project with respect to which such reservation was made, and in the event of an upward revision of such estimated cost approved by him he may reserve the Federal share of the added cost only from the applicable allotment (or reallotment) available at the time of such approval.

ADMINISTRATION OF STATE PLANS

SEC. 607. (a) The Commissioner shall not finally disapprove any State plan submitted under this part, or any modification thereof, without first affording the State commission submitting the plan reasonable notice and opportunity for a hearing. Hearing opportunity.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State commission administering a State plan approved under this part, finds—

(1) that the State plan has been so changed that it no longer complies with the provisions of section 603, or

(2) that in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State commission that the State will not be regarded as eligible to participate in the program under this part until he is satisfied that there is no longer any such failure to comply.

JUDICIAL REVIEW

SEC. 608. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under this part or with his final action under section 607, such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Commissioner shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

(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 transcript and 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 title 28, United States Code, section 1254. 62 Stat. 928.

LIMITATION ON PAYMENTS

SEC. 609. No grant may be made under this part for equipment or materials to be used for sectarian instruction or religious worship, or primarily in connection with any part of the program of 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.

"School or department of divinity."

PART B—FACULTY DEVELOPMENT PROGRAMS

INSTITUTES AUTHORIZED

SEC. 621. (a) There are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years, to enable the Commissioner to arrange, through grants or contracts, with institutions of higher education for the operation by them of short-term workshops or short-term or regular-session institutes for individuals (1) who are engaged in, or preparing to engage in, the use of educational media equipment in teaching in institutions of higher education, or (2) who are, or are preparing to be, in institutions of higher education, specialists in educational media or librarians or other specialists using such media.

(b) For the fiscal year ending June 30, 1969, and for the succeeding fiscal year, there may be appropriated for the purposes of this part, only such sums as the Congress may hereafter authorize by law.

STIPENDS

SEC. 622. Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each dependent. No stipends shall be paid for attendance at workshops.

TITLE VII—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT OF 1963

EXPANSION OF GRANT PURPOSES

SEC. 701. (a) Section 106 of the Higher Education Facilities Act of 1963 is amended to read as follows:

77 Stat. 368.
20 USC 716.

"ELIGIBILITY FOR GRANTS

"SEC. 106. An institution of higher education shall be eligible for a grant for construction of an academic facility under this title only if such construction will, either alone or together with other construction to be undertaken within a reasonable time, (1) result in an urgently needed substantial expansion of the institution's student enrollment capacity or capacity to carry out extension and continuing education programs on the campus of such institution, or (2) in the case of a new institution of higher education, result in creating urgently needed enrollment capacity or capacity to carry out extension and continuing education programs on the campus of such institution."

(b) The first sentence of section 101(b) of the Higher Education Facilities Act of 1963 is amended by striking out "and each of the two succeeding fiscal years" and inserting in lieu thereof "and for the succeeding fiscal year, and the sum of $460,000,000 for the fiscal year ending June 30, 1966". 77 Stat. 364. 20 USC 711.

(c) The second sentence of section 201 of such Act is amended by striking out "and the sum of $60,000,000 each for the fiscal year ending June 30, 1965, and the succeeding fiscal year" and inserting in lieu thereof "the sum of $60,000,000 for the fiscal year ending June 30, 1965, and the sum of $120,000,000 for the fiscal year ending June 30, 1966". 20 USC 731.

TECHNICAL AMENDMENTS

MAKING SECTION 103 ALLOTMENTS AVAILABLE FOR SECTION 104 INSTITUTIONS UNDER CERTAIN CIRCUMSTANCES

SEC. 702. (a)(1) Section 103(b) of the Higher Education Facilities Act of 1963 is amended by inserting "(1)" immediately after "(b)" in such section and by adding at the end thereof: 20 USC 713.

"(2) Notwithstanding any other provisions of this title, any portion of a State's allotment under this section for a fiscal year for which applications from an institution qualified to receive grants under this section have not been received by the State Commission by January 1 of such fiscal year, shall, if the Commission so requests, be available, in accordance with the provisions of this title, for payment of the Federal share (as determined under sections 108(b)(3) and 401(d)) of the development cost of approved projects for the construction of academic facilities within such State for institutions of higher education other than public community colleges and public technical institutes." 20 USC 718. *Post*, p. 1268.

(2) The first sentence of section 103(c) is amended by striking out "for providing academic facilities for public community colleges or public technical institutes" and inserting in lieu thereof "for the purposes set forth in subsection (b) of this section".

(3) Section 105(a) is amended by striking out "hereinafter" in the matter preceding clause (1). 20 USC 715.

(4) Clause (3) of section 105(a) is amended by inserting "(except as provided in section 103(b)(2))" after "section 103 will be available".

MAKING SECTION 104 ALLOTMENTS AVAILABLE FOR SECTION 103 INSTITUTIONS UNDER CERTAIN CIRCUMSTANCES

(b)(1) Section 104(b) of the Higher Education Facilities Act of 1963 is amended by inserting "(1)" immediately after "(b)" in such section and by adding at the end thereof: 20 USC 714.

"(2) Notwithstanding any other provisions of this title, any portion of a State's allotment under this section for a fiscal year for which applications from an institution qualified to receive grants under this section have not been received by the State Commission by January 1 of such fiscal year, shall, if the Commission so requests, be available, in accordance with the provisions of this title, for payment of the Federal share (as determined under sections 108(b)(3) and 401(d)) of the development cost of approved projects for the construction of academic facilities within such State for public community colleges and public technical institutes."

(2) The first sentence of section 104(c) is amended by striking out "for providing academic facilities for institutions of higher education other than public community colleges and public technical institutes"

and inserting in lieu thereof "for the purposes set forth in subsection (b) of this section".

77 Stat. 367.
20 USC 715.
Ante, p. 1267.

(3) Clause (3) of section 105(a) is amended by inserting "(except as provided in section 104(b)(2))" after "section 104 will be available".

REVISING FEDERAL SHARE FOR PUBLIC COMMUNITY COLLEGES AND PUBLIC TECHNICAL INSTITUTES

(c)(1) Section 105(a)(2) of the Higher Education Facilities Act of 1963 is amended by striking out "other than a project for a public community college or public technical institute".

20 USC 717.

(2) Section 107(b) of such Act is amended (1) by striking out "other than a project for a public community college or public technical institute", and (2) by striking out "shall be 40 per centum" and inserting in lieu thereof "shall in no event exceed 40 per centum".

20 USC 751.

(3) Section 401(d) of such Act is amended by inserting immediately before "40 per centum" the following: "a percentage (as determined under the applicable State plan) not in excess of".

THREE-YEAR AVAILABILITY OF SUMS APPROPRIATED UNDER SECTION 201

20 USC 731.

(d) The last sentence of section 201 of the Higher Education Facilities Act of 1963 is amended to read as follows: Sums appropriated pursuant to this section for any fiscal year shall remain available for grants under this title until the end of the second succeeding fiscal year.

TWO-YEAR AVAILABILITY OF TITLE III FUNDS

20 USC 743.

(e) Section 303(c) of the Higher Education Facilities Act of 1963 is amended by adding at the end the following new sentence: "Sums appropriated pursuant to this subsection for any fiscal year shall remain available for loans under this title until the end of the next succeeding fiscal year."

COORDINATION WITH PART A (GRANTS FOR EXPANSION AND IMPROVEMENT OF NURSE TRAINING) OF TITLE VIII OF THE PUBLIC HEALTH SERVICE ACT

(f) Effective with respect to applications for grants and loans submitted after the date of enactment of this Act, clause (E) of section 401(a)(2) of the Higher Education Facilities Act of 1963 is amended to read as follows: "(E) any facility used or to be used by a school of medicine, school of dentistry, school of osteopathy, school of pharmacy, school of optometry, school of podiatry, or school of public health as these terms are defined in section 724 of the Public Health Service Act, or a school of nursing as defined in section 843 of that Act."

77 Stat. 169;
78 Stat. 918.
42 USC 293d, 298b.

CHANGE IN INTEREST RATE FOR TITLE III LOANS

SEC. 703. (a) Subsection (b) of section 303 of the Higher Education Facilities Act of 1963 is amended by inserting "(1)" after "shall bear interest at", and by inserting before the period at the end thereof a comma and the following: "or (2) the rate of 3 per centum per annum, whichever is the lesser".

(b) The amendment made by this section shall be applicable only with respect to loans made after the date of enactment of this Act.

TITLE VIII—GENERAL PROVISIONS

DEFINITIONS

SEC. 801. As used in this Act—

(a) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution 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. Such term also includes any business school or technical institution which meets the provisions of clauses (1), (2), (4), and (5). For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(b) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

(c) The term "nonprofit" as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit 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.

(d) The term "secondary school" means a school which provides secondary education as determined under State law except that it does not include any education provided beyond grade 12.

(e) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(f) The term "Commissioner" means the Commissioner of Education.

(g) 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, townsl ip, 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 also includes any other public instition or agency having administrative control and direction of a public elementary or secondary school.

(h) 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 no such officer or agency, an officer or agency designated by the Governor or by State law.

(i) The term "elementary school" means a school which provides elementary education including education below grade 1, as determined under State law.

METHOD OF PAYMENT

SEC. 802. Payments under this Act to any individual or to any State or Federal agency, institution of higher education, or any other organization, pursuant to a grant, loan, or contract, may be made in installments, and in advance or by way of reimbursement, and, in the case of grants or loans, with necessary adjustments on account of overpayments or underpayments.

FEDERAL ADMINISTRATION

SEC. 803. (a) The Commissioner is authorized to delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act, 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 OF EDUCATION PROHIBITED

SEC. 804. (a) 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 over the selection of library resources by any educational institution.

(b) Nothing contained in this Act or any other 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 membership practices or internal operations of any fraternal organization, fraternity, sorority, private club or religious organization at an institution of higher education (other than a service academy or the Coast Guard Academy) which is financed exclusively by funds derived from private sources and whose facilities are not owned by such institution.

Approved November 8, 1965.

Public Law 89-330

November 8, 1965
[S. 2092]

AN ACT

To amend the Agricultural Marketing Agreement Act of 1937 to permit marketing orders applicable to various fruits and vegetables to provide for paid advertising.

Agriculture.
Marketing orders, paid advertising.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

61 Stat. 707.
7 USC 602.

(a) Section 2(3) is amended by inserting "such container and pack requirements provided in section 8(c)(6)(H)", immediately after "establish and maintain".

68 Stat. 906;
76 Stat. 632.
7 USC 608c.

(b) The proviso at the end of section 8c(6)(I) is amended by inserting: ", carrots, citrus fruits, onions, Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corn, limes, olives, pecans, or avocados" immediately after "applicable to cherries".

Approved November 8, 1965.

Public Law 89-331

AN ACT

To amend and extend the provisions of the Sugar Act of 1948, as amended.

November 8, 1965
[H. R. 11135]

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 "Sugar Act Amendments of 1965".

Sugar Act Amendments of 1965.

SEC. 2. Section 201 of the Sugar Act of 1948, as amended, is amended (1) by striking out of the first sentence the words "month of December in" and substituting the words "last three months of"; and (2) by striking out of the second sentence "October 31" and substituting "September 30".

61 Stat. 923.
7 USC 1111.

SEC. 3. Section 202 of the Sugar Act of 1948, as amended, is amended as follows:

76 Stat. 156.
7 USC 1112.

(1) Paragraphs (1) and (2)(A) of subsection (a) are amended to read as follows:

"(a)(1) For domestic sugar-producing areas, by apportioning among such areas six million three hundred and ninety thousand short tons, raw value, as follows:

Quotas, domestic sugar producing areas.

"Area	Short tons, raw value
Domestic beet sugar	3,025,000
Mainland cane sugar	1,100,000
Hawaii	1,110,000
Puerto Rico	1,140,000
Virgin Islands	15,000
Total	6,390,000

"(2)(A) To or from the above total of six million three hundred and ninety thousand short tons, raw value, there shall be added or deducted, as the case may be, an amount equal to 65 per centum of the amount by which the Secretary's determination of requirements of consumers in the continental United States pursuant to section 201 for the calendar year exceeds ten million four hundred thousand short tons, raw value, or is less than nine million seven hundred thousand short tons, raw value. Such amount shall be apportioned between the domestic beet sugar area and the mainland cane sugar area on the basis of the quotas for such areas established under paragraph (1) of this subsection and the amounts so apportioned shall be added to, or deducted from the quotas for such areas."

(2) Subsection (b) is amended to read as follows:

"(b) For the Republic of the Philippines, in the amount of one million and fifty thousand short tons, raw value, plus 10.86 per centum of the amount, not exceeding seven hundred thousand short tons, raw value, by which the Secretary's determination of requirements of consumers in the continental United States pursuant to section 201 for the calendar year exceed nine million seven hundred thousand short tons, raw value."

Republic of the Philippines.

(3) Subsection (c) is amended to read as follows:

"(c)(1) For foreign countries other than the Republic of the Philippines, an amount of sugar, raw value, equal to the amount determined pursuant to section 201 less the sum of the quotas established pursuant to subsection (a) and (b) of this section.

Foreign countries.

"(2) For the calendar year 1965, for individual foreign countries other than the Republic of the Philippines, by prorating the amount of sugar determined under paragraph (1) of this subsection among foreign countries on the basis of the quotas established in sugar regulation 811, as amended, issued February 15, 1965 (30 F.R. 2206).

"(3) For the calendar year 1966 through 1971, inclusive, for individual foreign countries other than the Republic of the Philippines,

Ireland, and the Bahama Islands, by prorating the amount of sugar determined under paragraph (1) of this subsection, less the amounts required to establish quotas as provided in paragraph (4) of this subsection for Ireland and the Bahama Islands, among foreign countries on the following basis:

"(A) For countries in the Western Hemisphere:

"Country	Per centum
Cuba	50.00
Mexico	7.73
Dominican Republic	7.56
Brazil	7.56
Peru	6.03
British West Indies	3.02
Ecuador	1.10
French West Indies	.95
Argentina	.93
Costa Rica	.89
Nicaragua	.89
Colombia	.80
Guatemala	.75
Panama	.56
El Salvador	.55
Haiti	.42
Venezuela	.38
British Honduras	.22
Bolivia	.09
Honduras	.09

"(B) For countries outside the Western Hemisphere:

"Country	Per centum
Australia	3.60
Republic of China	1.50
India	1.44
South Africa	1.06
Fiji	.79
Thailand	.33
Mauritius	.33
Malagasy Republic	.17
Swaziland	.13
Southern Rhodesia	.13

Ireland.
Bahama Islands.

"(4) For the calendar year 1966 and each subsequent calendar year, for Ireland, in the amount of five thousand three hundred and fifty-one short tons, raw value, of sugar; and for the calendar year 1968 and each subsequent calendar year, for the Bahama Islands, in the amount of ten thousand short tons, raw value, of sugar: *Provided*, That the Secretary obtains such assurances from each such country as he may deem appropriate prior to January 1 of each such calendar year that the quota for such year will be filled with sugar produced in such country."

76 Stat. 156.
7 USC 1112.

(4) Subsections (d), (e), and (f) are hereby amended and subsection (g) is added to read as follows:

"(d) Notwithstanding any other provision of this Act—

Cuba, withholding of quota.

"(1)(A) During the current period of suspension of diplomatic relations between the United States and Cuba, the quota provided for Cuba under subsection (c) shall be withheld and a quantity of sugar equal to such quota shall be prorated as follows:

61 Stat. 923.
7 USC 1111.

"(i) any quantity of quota withheld from Cuba at a determination up to and including the amount of ten million short tons, raw value, under section 201 shall be prorated to other foreign countries named in paragraph (3) of subsection (c) on the basis of the percentages stated therein; and, in addition,

"(ii) any quantity of quota withheld from Cuba at a determination in excess of the amount of ten million short tons, raw value, under section 201, shall be prorated to other foreign countries named in paragraph (3)(A) of subsection

(c) that are members of the Organization of American States on the basis of the percentages stated therein.

"(B) Whenever and to the extent that the President finds that the establishment or continuation of a quota or any part thereof for any foreign country would be contrary to the national interest of the United States, such quota or part thereof shall be withheld or suspended, and such importation shall not be permitted. A quantity of sugar equal to the amount of any quota so withheld or suspended shall be prorated to the other countries listed in subsection (c)(3)(A) (other than any country whose quota is withheld or suspended) on the basis of the quotas then in effect for such countries.

Withholding of quotas, Presidential determination.

"(C) The quantities of sugar prorated pursuant to the foregoing provisions of this subsection shall be designated as temporary quotas and the term 'quota' as defined in this Act shall include a temporary quota established under this subsection.

"Quota."

"(2)(A) Whenever the Secretary finds that it is not practicable to obtain the quantity of sugar needed from foreign countries to meet any increase during the year in the requirements of consumers under section 201 by apportionment to countries pursuant to subsections (b) and (c) and the foregoing provisions of this subsection, such quantity of sugar may be imported on a first-come, first-served basis from any foreign country, except that no sugar shall be authorized for importation from Cuba until the United States resumes diplomatic relations with that country and no sugar shall be authorized for importation hereunder from any foreign country with respect to which a finding by the President is in effect under paragraph (1)(B) of this subsection: *Provided*, That such finding shall not be made in the first nine months of the year unless the Secretary also finds that limited sugar supplies and increases in prices have created or may create an emergency situation significantly interfering with the orderly movement of foreign raw sugar to the United States. In authorizing the importation of such sugar the Secretary shall give special consideration to countries which agree to purchase for dollars additional quantities of United States agricultural products. In the event that the requirements of consumers under section 201 are thereafter reduced in the same calendar year, an amount not exceeding such increase in requirements shall be deducted pro rata from the quotas established pursuant to subsection (c) and this subsection.

Emergency provision.

61 Stat. 923.
7 USC 1111.

Imports from Cuba, restriction.

"(B) Sugar imported under the authority of this paragraph (2) shall be raw sugar, except that if the Secretary determines that the total quantity is not reasonably available as raw sugar, he may authorize the importation for direct consumption of so much of such quantity as he determines may be required to meet the requirements of consumers in the United States.

"(3) No quota shall be established for any country, other than the Bahama Islands, Bolivia, Honduras, and Ireland, for the year following a period of twenty-four months, ending June 30 prior to the establishment of quotas for such year, in which its aggregate imports of sugar equaled or exceeded its aggregate exports of sugar from such country to countries other than the United States.

Import-export restriction.

"(4) Whenever in any calendar year any foreign country fails, subject to such reasonable tolerance as the Secretary may determine, to fill the quota as established for it pursuant to this Act, the quota for such country for subsequent calendar years shall be reduced by the smaller of (i) the amount by which such country failed to fill such quota or (ii) the amount by which its exports

Penalty provision, reduction of quotas.

of sugar to the United States in the year such quota was not filled was less than 115 per centum of such quota for the preceding calendar year: *Provided*, That (i) no such reduction shall be made if the country has notified the Secretary before August 1 of such year (or, with respect to events occurring thereafter, as soon as practicable after such event), of the likelihood of such failure and the Secretary finds that such failure was due to crop disaster or other force majeure, unless such country exported sugar in such year to a country other than the United States, in which case the reduction in quota for the subsequent years shall be limited to the amount of such exports, as determined by the Secretary, and (ii) in no event shall the quota for the Republic of the Philippines be reduced to an amount less than nine hundred and eighty thousand short tons, raw value, of sugar.

"(5) Any reduction in a quota because of the requirements of paragraphs (3) and (4) of this subsection shall be prorated to other foreign countries in the same manner as deficits are prorated under section 204 of this Act. For purposes of determining unfilled portions of quotas, entries of sugar from a foreign country shall be prorated between the temporary quota established pursuant to paragraph (1) of this subsection and the quota established pursuant to subsection (c).

Post, p. 1275.

"(6) If any foreign country fails to give assurance to the Secretary, on or before December 31, 1965, that such country will fill the quota as established for it under subsection (c)(3) and paragraph (1) of this subsection for years after 1965, the quota for such country for such years shall be reduced to the amount which the country gives assurance that it will fill for such years. The portion of the quota for such country for which such assurance is not given shall be withdrawn for such years and a quantity of sugar equal to such portion shall be prorated to other foreign countries in the same manner as deficits are prorated under section 204 of this Act. For purposes of applying paragraph (4) of this subsection, any reduction in the quota of a foreign country under this paragraph shall be disregarded.

Restoration of quotas, Presidential determination.

"(e) Whenever the President finds that it is no longer contrary to the national interest of the United States to reestablish a quota or part thereof withheld or suspended under subsection (d)(1) of this section, and, in the case of Cuba, diplomatic relations have been resumed by the United States, such quota shall be restored in the manner the President finds appropriate: *Provided*, That the entire amount of such quota shall be restored for the third full calendar year following such finding by the President. The temporary quotas established pursuant to subsection (d)(1) shall, notwithstanding any other provision of this section, be reduced pro rata to the extent necessary to restore the quota in accordance with the provisions of this subsection.

"(f) Whenever any quota is required to be reduced pursuant to subsection (e) or because of a reduction in the requirements of consumers under section 201 of this Act, and the amount of sugar imported from any country or marketed from any area at the time of such reduction exceeds the reduced quota, the amount of such excess shall, notwithstanding any other provision of this section, be deducted from the quota established for such country or domestic area for the next succeeding calendar year.

61 Stat. 923.
7 USC 1111.

Quota limitation on quarterly basis.

"(g) The Secretary is authorized to limit, through the use of limitations applied on a quarterly basis only, the importation of sugar within the quota for any foreign country during the first and second quarters of any calendar year whenever he determines that such limitation is necessary to achieve the objectives of the Act: *Provided*, That

this subsection shall not operate to reduce the quantity of sugar permitted to be imported for any calendar year from any country below its quota, including deficits allocated to it, for that year.

"(h) The quota established for any foreign country and the quantity authorized to be imported from any country under subsection (d)(2) of this section may be filled only with sugar produced from sugarbeets or sugarcane grown in such country."

Reallocation of deficits.
76 Stat. 160, 169.
7 USC 1114.

SEC. 4. Section 204 of the Sugar Act of 1948, as amended, is amended to read as follows:

"SEC. 204. (a) The Secretary shall from time to time determine whether, in view of the current inventories of sugar, the estimated production from the acreage of sugarcane or sugarbeets planted, the normal marketings within a calendar year of new-crop sugar, and other pertinent factors, any area or country will be unable to market the quota for such area or country. If the Secretary determines that any domestic area or foreign country listed in section 202(c)(3)(A) will be unable to market its quota, he shall revise the quota for the Republic of the Philippines by allocating to it an amount of sugar equal to 47.22 per centum of the deficit, and shall allocate an amount of sugar equal to the remainder of the deficit to the countries listed in section 202(c)(3)(A) on the basis of the quotas then in effect for such countries: *Provided*, That any deficit resulting from the inability of a country which is a member of the Central American Common Market to fill its quota shall first be allocated to the other member countries on the basis of the quotas then in effect for such countries: *And provided further*, That if any quota is restored to Cuba, the maximum per centum of 47.22 of the deficit to be allocated to the Republic of the Philippines shall be reduced to a per centum equal to that which the Philippine quota under subsection (b) of section 202 bears to the sum of such Philippine quota and the quotas then in effect for all foreign countries pursuant to subsection (c) of section 202. If the Secretary determines the Republic of the Philippines will be unable to fill its share of any deficit determined under the foregoing provisions of this subsection, he shall allocate such unfilled amount to the countries listed in section 202(c)(3)(A) on the basis of the quotas then in effect for such countries. If the Secretary determines that neither the Republic of the Philippines nor the countries listed in section 202(c)(3)(A) can fill all of any such deficit, he shall apportion such unfilled amount on such basis and to such foreign countries as he determines is required to fill such deficit. If the Secretary determines that any foreign country with a quota established pursuant to section 202(c)(3)(B) or section 202(c)(4) will be unable to market the quota for such area or country, he shall revise the quota for the Republic of the Philippines by allocating to it an amount of sugar equal to 47.22 per centum of the deficit, and shall allocate an amount of sugar equal to the remainder of the deficit to the countries listed in section 202(c)(3)(B) on the basis of the quotas then in effect for such countries: *Provided*, That if any quota is restored to Cuba, the maximum per centum of 47.22 of the deficit to be allocated to the Republic of the Philippines shall be reduced to a per centum equal to that which the Philippine quota under subsection (b) of section 202 bears to the sum of such Philippine quota and the quotas then in effect for all foreign countries pursuant to subsection (c) of section 202. If the Secretary determines the Republic of the Philippines will be unable to fill its share of any deficit determined for any country listed in section 202(c)(3)(B), he shall allocate such unfilled amount to the countries so listed on the basis of the quotas then in effect for such countries. If the Secretary determines that neither the Republic of the Philippines nor the countries listed in section 202(c)(3)(B) can fill all of any such deficit, he shall apportion such unfilled amount

Ante, p. 1272.

on such basis and to such foreign countries as he determines is required to fill such deficit. If the Secretary determines that the Republic of the Philippines will be unable to market its quota, he shall allocate an amount of sugar equal to the deficit to the countries listed in section 202(c)(3) on the basis of the quotas then in effect for such countries. Deficits shall not be allocated to any country whose quota has been suspended or withheld pursuant to subsection (d)(1) of section 202. The Secretary shall insofar as practicable determine and allocate deficits so as to assure the availability of the sugar for importation during the calendar year. In any event, any deficit, so far as then known, shall be determined and allocated by August 1 of the calendar year. In making allocations for foreign countries within the Western Hemisphere under this subsection, special consideration shall be given to those countries purchasing United States agricultural commodities. Notwithstanding the foregoing provisions of this subsection, if the President determines that such action would be in the national interest, any part of a deficit which would otherwise be allocated to countries listed in section 202(c) may be allocated to one or more of such countries with a quota in effect on such basis as the President finds appropriate.

Ante, p. 1271.

"(b) The quota established for any domestic area or any foreign country under section 202 shall not be reduced by reason of any determination of a deficit existing in any calendar year under subsection (a) of this section: *Provided*, That the quota for any foreign country shall be reduced to the extent that it has notified the Secretary that it cannot fill its quota and the Secretary has found under section 202(d)(4) that such failure was due to crop disaster or other force majeure."

Allotment of quotas.
61 Stat. 926.
7 USC 1115.

SEC. 5. Section 205 of the Sugar Act of 1948, as amended, is amended, (1) by inserting after the third sentence thereof the following new sentence: "The Secretary is also authorized in making such allotments of a quota for any calendar year to take into consideration, in lieu of or in addition to the foregoing factors of processing, past marketings, and ability to market, the need for establishing an allotment which will permit such marketing of sugar as is necessary for the reasonably efficient operation of any nonaffiliated single plant processor of sugarbeets or any processor of surgarcane and as may be necessary to avoid unreasonable carryover of sugar in relation to other processors in the area: *Provided*, That the marketing allotment of any such processor of sugarbeets shall not be increased under this provision above an allotment of twenty-five thousand short tons, raw value, and the marketing allotment of a processor of sugarcane shall not be increased under this provision above an allotment equal to the effective inventory of sugar of such processor on January 1 of the calendar year for which such allotment is made, except that the marketing allotment for 1965 of any processor of sugarcane, other than a processor-refiner, may, in the discretion of the Secretary, be increased by an additional six thousand two hundred short tons of sugar, raw value: *Provided further*, That the total increases in marketing allotments made pursuant to this sentence to processors in the domestic beet sugar area shall be limited to twenty-five thousand short tons of sugar, raw value, for each calendar year and to processors in the mainland cane sugar area shall be limited to sixteen thousand short tons of sugar, raw value, for each calendar year."; and (2) by adding at the end of subsection (a) the following sentence: "If allotments are in effect at the time of a reduction in a domestic area quota for any year, the amount marketed by a person in excess of the amount of his allotment as reduced in conformity with the reduction in the quota shall not be taken into consideration in establishing an allotment in the next succeeding year for such person, and any allotment estab-

lished for such person for the next succeeding year shall be reduced by such excess amount."

SEC. 6. Section 206 of the Sugar Act of 1948, as amended, is amended to read as follows:

Sugar-containing products, limitation.
76 Stat. 161.
7 USC 1116.

"SEC. 206. (a) If the Secretary determines that the prospective importation or bringing into the continental United States, Hawaii, or Puerto Rico of any sugar-containing product or mixture will substantially interfere with the attainment of the objectives of this Act, he may limit the quantity of such product or mixture to be imported or brought in from any country or area to a quantity which he determines will not so interfere: *Provided*, That the quantity to be imported or brought in from any country or area in any calendar year shall not be reduced below the average of the quantities of such product or mixture annually imported or brought in during the most recent three consecutive years for which reliable data of the importation or bringing in of such product or mixture are available.

"(b) In the event the Secretary determines that the prospective importation or bringing into the continental United States, Hawaii, or Puerto Rico, of any sugar-containing product or mixture will substantially interfere with the attainment of the objectives of this Act and there are no reliable data available of such importation or bringing in of such product or mixture for three consecutive years, he may limit the quantity of such product to be imported or brought in annually from any country or area to a quantity which the Secretary determines will not substantially interfere with the attainment of the objectives of the Act, provided that such quantity from any one country or area shall not be less than a quantity containing one hundred short tons, raw value of sugar or liquid sugar.

"(c) In determining whether the actual or prospective importation or bringing into the continental United States, Hawaii, or Puerto Rico of a quantity of a sugar-containing product or mixture will or will not substantially interfere with the attainment of the objectives of this Act, the Secretary shall take into consideration the total sugar content of the product or mixture in relation to other ingredients or to the sugar content of other products or mixtures for similar use, the costs of the mixture in relation to the costs of its ingredients for use in the continental United States, Hawaii, or Puerto Rico, the present or prospective volume of importations relative to past importations, the type of packaging, whether it will be marketed to the ultimate consumer in the identical form in which it is imported or the extent to which it is to be further subjected to processing or mixing with similar or other ingredients, and other pertinent information which will assist him in making such determination. In making determinations pursuant to this section, the Secretary shall conform to the rulemaking requirements of section 4 of the Administrative Procedure Act."

60 Stat. 238.
5 USC 1003.

SEC. 7. Subsections (d) and (e) of section 207 of the Sugar Act of 1948, as amended, are amended as follows:

Direct-consumption sugar, limitation.
7 USC 1117.

"(d) Not more than fifty-nine thousand nine hundred and twenty short tons, raw value, of the quota for the Republic of the Philippines may be filled by direct-consumption sugar.

"(e) None of the quota established for any foreign country other than the Republic of the Philippines and none of the deficit prorations and apportionments for any foreign country established under or in accordance with section 204(a) may be filled by direct-consumption sugar: *Provided*, That the quotas for Ireland, and Panama may be filled by direct-consumption sugar to the extent of five thousand three hundred and fifty-one short tons, raw value, for Ireland and three thousand eight hundred and seventeen short tons, raw value, for Panama."

Ante, p. 1275.

76 Stat. 162.
7 USC 1119.

SEC. 8. Section 209 of the Sugar Act of 1948, as amended, is amended by striking from subsection (e) thereof the words "any sugar or liquid sugar" and inserting in lieu thereof the following: "any sugar or liquid sugar in excess of one hundred pounds in any calendar year".

61 Stat. 929.
7 USC 1122.

SEC. 9. (a) Section 212 of the Sugar Act of 1948, as amended, is amended by inserting before the period at the end thereof the following: ", or for the production (other than by distillation) of alcohol, including all polyhydric alcohols, but not including any such alcohol or resulting by-products for human food consumption".

68A Stat. 801.
26 USC 6418.

(b) Section 6418(a) of the Internal Revenue Code of 1954 is amended—

(1) by inserting "OR PRODUCTION" after "DISTILLATION" in the heading of such section, and

(2) by inserting after "the distillation of alcohol," in the text of such section the following: "or for the production of alcohol (other than alcohol produced for human food consumption),".

26 USC 6511.

(c) The heading of section 6511(e)(1) of the Internal Revenue Code of 1954 is amended by inserting "OR PRODUCTION" after "DISTILLATION".

Repeal.
7 USC 1123.

SEC. 10. Section 213 of the Sugar Act of 1948, as amended, is repealed.

Proportionate shares, determination.
76 Stat. 164.
7 USC 1132.

SEC. 11. Section 302 of the Sugar Act of 1948, as amended, is amended as follows:

(1) Paragraph (1) of subsection (b) is amended to read as follows:

"(b)(1) The Secretary shall determine for each crop year whether the production of sugar from any crop of sugarbeets or sugarcane will, in the absence of proportionate shares, be greater than the quantity needed to enable the area to meet its quota and provide a normal carryover inventory, as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar from such crop normally would be marketed. Such determination shall be made only with respect to the succeeding crop year and, beginning with the 1966 crop year, only after due notice and opportunity for an informal public hearing. If the Secretary determines that the production of sugar from any crop of sugarbeets or sugarcane will be in excess of the quantity needed to enable the area to meet its quota and provide a normal carryover inventory, he shall establish proportionate shares for farms in such areas as provided in this subsection, except that the determinations by the Secretary of proportionate shares for farms in Hawaii and the Virgin Islands in effect on January 1, 1965, shall continue in effect until amended or superseded. In determining the proportionate shares with respect to a farm, the Secretary may take into consideration the past production on the farm of sugarbeets and sugarcane marketed (or processed) for the extraction of sugar or liquid sugar (within proportionate shares when in effect) and the ability to produce such sugarbeets and sugarcane."

Public hearing.

Sugarbeet acreage reserves.

(2) The first sentence of paragraph (3) of subsection (b) is amended to read as follows: "In order to make available acreage for growth and expansion of the beet sugar industry, the Secretary in addition to protecting the interest of new and small producers by regulations generally similar to those heretofore promulgated by him pursuant to this Act, shall reserve each year from 1962 through 1966,

inclusive, from the national sugarbeet acreage requirement established by him, the acreage required to yield sixty-five thousand short tons, raw value, of sugar."

(3) Paragraph (5) of subsection (b) is amended by striking the words "In determining farm proportionate shares" and inserting in lieu thereof the words "Whether farm proportionate shares are or are not determined".

76 Stat. 165.
7 USC 1132.

(4) Subsection (b) is amended by adding new paragraphs (8) and (9) as follows:

Sugarbeet production history, preservation.

"(8) In order to protect the sugarbeet production history for farm operators (or farms) who in any crop year, because of a crop-rotation program or for reasons beyond their control, are unable to utilize all or a portion of the farm proportionate share acreage established pursuant to this section, the Secretary may reserve for a period of not more than three crop years the production history for any such farm operators (or farms) to the extent of the farm proportionate share acreage released. The proportionate share acreage so released may be reallotted to other farm operators (or farms), but no production history shall accrue to such other farm operators (or farms) by virtue of such reallocation of the proportionate share acreage so released.

Sugarbeet, sugarcane acreage reserves.

"(9) The Secretary is authorized to reserve from the national sugarbeet acreage requirements for the 1966, 1967, and 1968 crops of sugarbeets a total acreage estimated to yield not more than twenty-five thousand short tons, raw value, for each such crop to provide any nonaffiliated single plant processor of sugarbeets with an estimated quantity of sugar for marketing of not to exceed twenty-five thousand short tons of sugar, raw value. The Secretary is also authorized to reserve from the acreage which would otherwise be allocated to sugarcane producers in the mainland cane sugar area for the 1965 and 1966 crops of sugarcane a total acreage estimated to yield not more than sixteen thousand short tons of sugar, raw value, for each such crop which shall be allocated to relieve hardship on the part of new producers in such manner as the Secretary may determine: *Provided*, That acreage allocated hereunder for the 1965 crop shall be in addition to the total acreage heretofore allocated in such area for the 1965 crop. The Secretary shall allocate the acreage provided for in this paragraph to farms on such basis as he determines necessary to accomplish the purposes for which such acreages are provided under this paragraph."

Use of Commodity Credit Corporation facilities.
61 Stat. 932.
7 USC 1152.

SEC. 12. (1) Subsection (b) of section 402 of the Sugar Act of 1948, as amended, is amended by adding the following sentence thereto: "The Secretary is authorized to use the services, facilities, and authorities of Commodity Credit Corporation for the purpose of making disbursements to persons eligible to receive payments under title III of this Act: *Provided*, That no such disbursements shall be made by Commodity Credit Corporation unless it has received funds to cover the amounts thereof from appropriations available for the purpose of carrying out such program."

7 USC 1131-1137.

Sugar consumption requirements, estimation.
7 USC 1158.
7 USC 1111-1123.

(2) Subsection (a) of section 408 of such Act is amended by adding the following at the end thereof: "During any period that the operation of the provisions of title II is so suspended by the President, the Secretary shall estimate for each year the amount of sugar needed to meet requirements of consumers in the United States and the amount the quota for each country would be if calculated on the basis as provided in section 202 of this Act. Notice of such estimate and quota calculation shall be published in the Federal Register. If any country

Ante, p. 1271.
Publication in Federal Register.

fails to import into the continental United States within the quota year, an amount of sugar equal to the amount the quota would be as calculated for such country by the Secretary for such year, the quota established for such country in subsequent years under the provisions of title II shall be reduced as provided in section 202(d)(4) of this Act: *Provided*, That quotas for subsequent years shall not be reduced when quotas are suspended under this subsection and reestablished in the same calendar year."

Ante, p. 1273.

(3) Subsection (b) of section 408 of such Act is amended by striking out the last sentence thereof and substituting in lieu thereof the following: "Any quantity so suspended shall be allocated in the same manner as deficits are allocated under the provisions of section 204 of this Act."

76 Stat. 166.
7 USC 1158.

Ante, p. 1275.

(4) Subsection (c) of section 408 of such Act is amended to read as follows:

Expropriation of U.S. property, penalty.

"(c) In any case in which a nation or a political subdivision thereof has hereafter (1) nationalized, expropriated, or otherwise seized the ownership or control of the property or business enterprise owned or controlled by United States citizens or any corporation, partnership or association not less than 50 per centum beneficially owned by United States citizens or (2) imposed upon or enforced against such property or business enterprise so owned or controlled, discriminatory taxes or other exactions, or restrictive maintenance or operational conditions not imposed or enforced with respect to the property or business enterprise of a like nature owned or operated by its own nationals or the nationals of any government other than the Government of the United States or (3) imposed upon or enforced against such property or business enterprise so owned or controlled, discriminatory taxes or other exactions, or restrictive maintenance or operational conditions, or has taken other actions, which have the effect of nationalizing, expropriating or otherwise seizing ownership or control of such property or business enterprise or (4) violated the provisions of any bilateral or multilateral international agreement to which the United States is a party, designed to protect such property or business enterprise so owned or controlled, and has failed within six months following the taking of action in any of the above categories to take appropriate and adequate steps to remedy such situation and to discharge its obligations under international law toward such citizen or entity, including the prompt payment to the owner or owners of such property or business enterprise so nationalized, expropriated or otherwise seized or to provide relief from such taxes, exactions, conditions or breaches of such international agreements, as the case may be, or to arrange, with the agreement of the parties concerned, for submitting the question in dispute to arbitration or conciliation in accordance with procedures under which final and binding decision or settlement will be reached and full payment or arrangements with the owners for such payment made within twelve months following such submission, the President shall suspend any quota, proration of quota, or authorization to import sugar under this Act of such nation until he is satisfied that appropriate steps are being taken. Any quantity so suspended shall be allocated in the same manner as deficits are allocated under section 204 of this Act."

Termination date.
7 USC 1101 note.

(5) Section 412 of such Act (relating to termination of the powers of the Secretary under the Act) is amended by striking out "1966" in each place it appears therein and inserting in lieu thereof "1971".

26 USC 4501.

SEC. 13. Section 4501(b) (relating to termination of taxes on sugar) of the Internal Revenue Code of 1954 is amended by striking out

"1967" in each place it appears therein and inserting in lieu thereof "1972".

Effective dates.

SEC. 14. Except as hereinafter provided, the provisions of this Act shall become effective January 1, 1965. The amendments made by section 4 of this Act shall become effective January 1, 1966. The amendments made by section 9 of this Act shall become effective on the date of the enactment of this Act.

Approved November 8, 1965.

Public Law 89-332

November 8, 1965
[S. 1758]

AN ACT

To provide for the right of persons to be represented in matters before Federal agencies.

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

Federal agencies.

Attorney and C.P.A. qualifications for client representation.

(a) Any person who is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth, or the District of Columbia may represent others before any agency upon filing with the agency a written declaration that he is currently qualified as provided by this subsection and is authorized to represent the particular party in whose behalf he acts.

(b) Any person who is duly qualified to practice as a certified public accountant in any State, possession, territory, Commonwealth, or the District of Columbia may represent others before the Internal Revenue Service of the Treasury Department upon filing with that agency a written declaration that he is currently qualified as provided by this subsection and is authorized to represent the particular party in whose behalf he acts.

(c) Nothing herein shall be construed (i) to grant or deny to any person who is not qualified as provided by subsection (a) or (b) the right to appear for or represent others before any agency or in any agency proceeding; (ii) to authorize or limit the discipline, including disbarment, of persons who appear in a representative capacity before any agency; (iii) to authorize any person who is a former officer or employee of an agency to represent others before an agency where such representation is prohibited by statute or regulation; or (iv) to prevent an agency from requiring a power of attorney as a condition to the settlement of any controversy involving the payment of money.

Patent Office, exception.

(d) This section shall not be applicable to practice before the Patent Office with respect to patent matters which shall continue to be covered by chapter 3 (sections 31 to 33) of title 35 of the United States Code.

66 Stat. 795.

Service.

SEC. 2. When any participant in any matter before an agency is represented by a person qualified pursuant to subsection (a) or (b) of section 1, any notice or other written communication required or permitted to be given to such participant in such matter shall be given to such representative in addition to any other service specifically required by statute. If a participant is represented by more than one such qualified representative, service upon any one of such representatives shall be sufficient.

"Agency."

SEC. 3. As used in this Act, "agency" shall have the same meaning as it does in section 2(a) of the Administrative Procedure Act, as amended (60 Stat. 237, as amended).

5 USC 1001.

Approved November 8, 1965.

Public Law 89-333

November 8, 1965
[H. R. 8310]

AN ACT

To amend the Vocational Rehabilitation Act to assist in providing more flexibility in the financing and administration of State rehabilitation programs, and to assist in the expansion and improvement of services and facilities provided under such programs, particularly for the mentally retarded and other groups presenting special vocational rehabilitation problems, and for other purposes.

Vocational Rehabilitation 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 "Vocational Rehabilitation Act Amendments of 1965".

AUTHORIZATION OF APPROPRIATIONS; ALLOTMENTS

68 Stat. 652.
29 USC 31-33.

SEC. 2. (a) Sections 1, 2, and 3 of the Vocational Rehabilitation Act are amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS FOR GRANTS; PURPOSES FOR WHICH AVAILABLE

"SECTION 1. (a) The Secretary is authorized to make grants as provided in this Act for the purpose of assisting States in rehabilitating handicapped individuals so that they may prepare for and engage in gainful employment to the extent of their capabilities, thereby increasing not only their social and economic well-being but also the productive capacity of the Nation.

"(b) (1) For the purpose of making grants to States under section 2 to assist them in meeting the costs of vocational rehabilitation services, there is authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $300,000,000, for the fiscal year ending June 30, 1967, the sum of $350,000,000, and for the fiscal year ending June 30, 1968, the sum of $400,000,000.

"(2) For the purpose of making grants under section 3, relating to grants to States to assist them in meeting the costs of projects for innovation of vocational rehabilitation services, there is authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $5,000,000, for the fiscal year ending June 30, 1967, the sum of $7,000,000, and for the fiscal year ending June 30, 1968, the sum of $9,000,000.

Post, p. 1289.

Post, p. 1290.

"(3) For the purpose of making grants (A) under section 4(a)(1) for research, demonstrations, training, and traineeships; (B) under clause (2)(A) of section 4(a) for planning, preparing for, and initiating special programs to expand State vocational rehabilitation services; and (C) under clause (2)(B) of section 4(a) to meet the cost of planning for the development of a comprehensive vocational rehabilitation program in each State, there is authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $80,000,000, for the fiscal year ending June 30, 1967, the sum of $104,000,000, and for the fiscal year ending June 30, 1968, the sum of $117,000,000.

"(4) For the fiscal year ending June 30, 1969, and each of the succeeding fiscal years, only such sums may be appropriated for the purposes described in paragraphs (1), (2), and (3) as the Congress may hereafter authorize by law.

"GRANTS TO STATES FOR VOCATIONAL REHABILITATION SERVICES

"SEC. 2. (a) For each fiscal year each State shall be entitled to an allotment of an amount bearing the same ratio to the amount authorized to be appropriated by paragraph (1) of section 1(b) for meeting

the cost of vocational rehabilitation services, as the product of (1) the population of the State and (2) the square of its allotment percentage (as defined in section 11(h)) bears to the sum of the corresponding products for all the States. The allotment to any State under the preceding sentence which is less than the amount such State was entitled to receive under subsection (b) of this section for the fiscal year ending June 30, 1965, shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments of each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

68 Stat. 661; 74 Stat. 417. 29 USC 41.

"(b) For each fiscal year the Secretary shall pay to each State an amount equal to the Federal share (determined as provided in section 11(i)) of the cost of vocational rehabilitation services under the plan for such State approved under section 5, including expenditures for the administration of the State plan, except that the total of such payments to such State for such fiscal year may not exceed its allotment under subsection (a) for such year, and except that the amount otherwise payable to such State for such year under this section shall be reduced by the amount (if any) by which expenditures from non-Federal sources (except for expenditures with respect to which the State is entitled to payments under section 3) during such year under such State's plan are less than such expenditures under such plan for the fiscal year ending June 30, 1965.

Post, p. 1294.
Post, p. 1291.

"GRANTS TO STATES FOR INNOVATION OF VOCATIONAL REHABILITATION SERVICES

"SEC. 3. (a)(1) From the sums available for any fiscal year for grants to States to assist them in meeting the costs described in paragraph (2) of this subsection, each State shall be entitled to an allotment of an amount bearing the same ratio to such sums as the population of the State bears to the population of all the States. The allotment to any State under the preceding sentence for any fiscal year which is less than $5,000 (or such other amount as may be specified as a minimum allotment in the Act appropriating such sums for such year) shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

"(2) From each State's allotment under this section for any fiscal year, the Secretary shall pay to such State a portion of the cost of approved projects for vocational rehabilitation services (including their administration) under the State plan which (A) provide for the development of methods or techniques, which are new in the State, for providing vocational rehabilitation services for handicapped individuals, or (B) are specially designed for development of, or provision for, new or expanded vocational rehabilitation services for groups of handicapped individuals having disabilities which are catastrophic or particularly severe. The Secretary shall approve any project for purposes of this section only if the plan of such State approved under section 5 includes such project or is modified to include it.

"(b) Payments under this section with respect to any project may be made for a period of not to exceed five years beginning with the commencement of the first fiscal year for which any payment is made with respect to such project from an allotment under this section. To

Time limitation.

the extent permitted by the State's allotment under this section, such payments with respect to any project shall be equal to 90 per centum of the cost of such project for the first three years and 75 per centum of the cost of such project for the next two years, except that, at the request of the State, such payments may be less than such percentage of the cost of such project.

"(c) No payment may be made from an allotment under this section with respect to any cost with respect to which any payment is made under section 2."

Ante, p. 1282.
Effective date.

(b) The amendment made by this section shall be in effect for fiscal years beginning after June 30, 1965, except that payments may be made from a State's allotment under section 3 of the Vocational Rehabilitation Act for any project approved under such section before the enactment of this Act. Such payments may be made for the period for which such project was approved and at the rate provided for in such section at the time of such approval.

CONSTRUCTION OF REHABILITATION FACILITIES; WORKSHOP IMPROVEMENT; REMOVAL OF ARCHITECTURAL BARRIERS

Ante, p. 676;
68 Stat. 662.
29 USC 31 note.

SEC. 3. The Vocational Rehabilitation Act is further amended by redesignating sections 12 and 13 as sections 16 and 17, and by inserting after section 11 the following new sections:

"GRANTS FOR CONSTRUCTION OF REHABILITATION FACILITIES AND WORKSHOPS

"SEC. 12. (a) Effective for fiscal years beginning after June 30, 1965, the Secretary is authorized to make grants to assist in meeting the costs of construction of public or other nonprofit workshops and rehabilitation facilities. Such grants may be made only for projects for which applications are approved by the Secretary under this section.

Applications, requirements for approval.

"(b) To be approved, an application for a grant for a construction project under this section must—

"(1) contain or be supported by reasonable assurances that (A) for a period of not less than twenty years after completion of construction of the project it will be used as a public or other nonprofit workshop or rehabilitation facility, (B) sufficient funds will be available to meet the non-Federal share of the cost of construction of the project, and (C) sufficient funds will be available, when construction of the project is completed, for its effective use as a workshop or rehabilitation facility, as the case may be;

"(2) be accompanied or supplemented by plans and specifications which comply with regulations of the Secretary relating to minimum standards of construction and equipment, and with regulations of the Secretary of Labor relating to safety standards for workshops and rehabilitation facilities;

"(3) be approved, in accordance with regulations of the Secretary, by the appropriate State agency designated as provided in section 5(a)(1);

Post, p. 1291.
Labor standards.

"(4) contain or be supported by reasonable assurance that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by payments pursuant to any grant under this section 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

49 Stat. 1011;
78 Stat. 238.

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).

64 Stat. 1267.
63 Stat. 108.

"(c) The amount of a grant under this section with respect to any construction project in any State shall be equal to the same percentage of the cost of such project as the Federal share which is applicable in the case of rehabilitation facilities (as defined in section 625(g) of the Public Health Service Act, 42 U.S.C. 291o(g)) in such State, except that if the Federal share with respect to rehabilitation facilities in such State is determined under subparagraph (A) of section 625(b)(1) of such Act (42 U.S.C. 291o(b)(1)), the percentage of the cost for purposes of this section shall be determined in accordance with regulations of the Secretary designed to achieve as nearly as practicable results comparable to the results obtained under such subparagraph.

78 Stat. 461.

"(d) Upon approval of any application for a grant for a construction project under this section, the Secretary shall reserve, from any appropriation available therefor, the amount of such grant determined under subsection (c); the amount so reserved may be paid in advance or by way of reimbursement, and in such installments consistent with construction progress, as the Secretary may determine. In case an amendment to an approved application is approved or the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the appropriation from which the original reservation was made or the appropriation for the fiscal year in which such amendment or revision is approved.

"(e) If, within twenty years after completion of any construction project for which funds have been paid under this section, the workshop or rehabilitation facility shall cease to be a public or other nonprofit workshop or rehabilitation facility, the United States shall be entitled to recover from the applicant or other owner of the workshop or 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 workshop or facility is situated) of the workshop or facility, as the amount of the Federal participation bore to the cost of construction of such workshop or facility.

Staffing, Federal share of costs.

"(f) The Secretary is also authorized to make grants to assist in the initial staffing of any public or other nonprofit workshop or rehabilitation facility constructed after the date of enactment of this section (whether or not such construction was financed with the aid of a grant under this section) by covering part of the costs (determined in accordance with regulations of the Secretary) of compensation of professional or technical personnel of such workshop or facility during the period beginning with the commencement of the operation of such workshop or facility and ending with the close of four years and three months after the month in which such operation commenced. Such grants with respect to any workshop or facility may not exceed 75 per centum of such costs for the period ending with the close of the fifteenth month following the month in which such operation commenced, 60 per centum of such costs for the first year thereafter, 45 per centum of such costs for the second year thereafter, and 30 per centum of such costs for the third year thereafter.

"(g) The Secretary is also authorized to make grants (1) to the State agency or agencies designated as provided in section 5(a)(1) to assist in meeting the cost of determining the State's needs for workshops and rehabilitation facilities and (2) upon application approved by the appropriate State agency so designated for such State, to public or other nonprofit agencies, institutions, or organizations to assist them

Post, p. 1291.

in meeting the costs of planning workshops and rehabilitation facilities and the services to be provided thereby.

Payments.

"(h) Payment of grants under subsection (f) or (g) may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

Appropriation.

"(i) There is authorized to be appropriated for carrying out this section $1,500,000 for the fiscal year ending June 30, 1966, $7,000,000 for the fiscal year ending June 30, 1967, $9,000,000 for the fiscal year ending June 30, 1968; and for each of the two succeeding fiscal years only such sums may be appropriated for carrying out this section as the Congress may hereafter authorize by law. Sums so appropriated shall remain available for payment with respect to construction projects approved or initial staffing grants made under this section prior to July 1, 1970.

"(j) For purposes of this section—

Definitions.

"(1) 'construction' includes construction of new buildings, acquisition of existing buildings, and expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of such new, newly acquired, expanded, remodeled, altered, or renovated buildings;

"(2) the 'cost' of construction includes the cost of architects' fees and acquisition of land in connection with construction, but does not include the cost of offsite improvements;

"(3) a project for construction of a workshop may include such construction as may be necessary to provide residential accommodations for use in connection with the rehabilitation of mentally retarded individuals or such other categories of handicapped individuals as the Secretary may designate.

"WORKSHOP IMPROVEMENT

"Grants for Projects for Training Services

"SEC. 13. (a)(1) The Secretary is authorized, during the period beginning July 1, 1966, and ending June 30, 1971, to make grants to States and public and other nonprofit organizations and agencies to pay 90 per centum of the cost of projects for providing training services to handicapped individuals in public or other nonprofit workshops and rehabilitation facilities.

Training and related services defined.

"(2)(A) Training services, for purposes of this subsection, shall include training in occupational skills; related services, including work evaluation, work testing, provision of occupational tools and equipment required by the individual to engage in such training, and job tryouts; and payment of weekly allowances to individuals receiving such training and related services.

Trainees' allowances.

"(B) Such allowances may not be paid to any individual for any period in excess of two years, and such allowances for any week shall not exceed $25 plus $10 for each of the individual's dependents, or $65, whichever is less. In determining the amount of such allowance for any individual, consideration shall be given to the individual's need for such an allowance, including any expenses reasonably attributable to receipt of training services, the extent to which such an allowance will help assure entry into and satisfactory completion of training, and such other factors, specified by the Secretary, as will promote such individual's fitness to engage in a remunerative occupation.

Conditions.

"(3) The Secretary may make a grant for a project pursuant to this subsection only on his determination that (A) the purpose of such

project is to prepare handicapped individuals for a gainful occupation, (B) the individuals to receive training services under such project will include only individuals who have been determined to be suitable for and in need of such training services by the State agency or agencies designated as provided in section 5(a)(1) of the State in which the workshop or rehabilitation facility is located, (C) the full range of training services will be made available to each such individual, to the extent of his need for such services, and (D) the project, including the participating workshop or rehabilitation facility and the training services provided, meet such other requirements as he may prescribe for carrying out the purposes of this subsection.

Post, p. 1291.

"(4) Payments under this subsection may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made on such conditions as he finds necessary to carry out the purposes of this subsection.

Payments.

"Workshop Improvement Grants

"(b)(1) The Secretary is authorized to make grants to public or other nonprofit workshops during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years to pay part of the cost of projects to analyze, improve, and increase their professional services to the handicapped, their business management, or any other part of their operations affecting their capacity to provide employment and services for the handicapped.

"(2) No part of any grant made pursuant to this subsection may be used to pay costs of acquiring, constructing, expanding, remodeling, or altering any building.

Restriction.

"(3) Payments under this subsection may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made on such conditions as he finds necessary to carry out the purposes of this subsection.

Payments.

"Technical Assistance to Workshops

"(c)(1) The Secretary is authorized, directly or by contract with State vocational rehabilitation agencies or experts or consultants or groups thereof, to provide technical assistance to workshops.

Experts or consultants.

"(2) Any such experts or consultants shall, while serving pursuant to such contracts, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per diem, 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 5 of the Administrative Expense Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Compensation.

60 Stat. 808; 75 Stat. 339, 340.

"National Policy and Performance Council

"(d)(1) There is hereby established in the Department of Health, Education, and Welfare a National Policy and Performance Council, consisting of twelve members, not otherwise in the regular full-time employ of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall from time to time appoint one of the members to serve as Chairman. The appointed members shall be selected from among leaders in the vocational rehabilitation or workshop fields, State or local government, and business and from among representatives of related professions, labor leaders, and the general public. Each appointed member shall hold office for

Membership.

Term of office.

a term of four years, except that 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 except that, of the twelve members first appointed, three shall hold office for a term of three years, three shall hold office for a term of two years, and three shall hold office for a term of one year, as designated by the Secretary at the time of appointment. None of such twelve members shall be eligible for reappointment until a year has elapsed after the end of his preceding term.

Duties.

"(2) The Council shall (A) advise the Secretary with respect to the policies and criteria to be used by him in determining whether or not to make grants under subsection (a); (B) make recommendations to the Secretary with respect to workshop improvement and the extent to which this section is effective in accomplishing this purpose; and (C) perform such other services with respect to workshops as the Secretary may request.

"(3) The Secretary shall make available to the Council such technical, administrative, and other assistance as it may require to carry out its functions.

Compensation.

"(4) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall 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 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.

60 Stat. 808; 75 Stat. 339, 340.

Safety standards.

"(e) The Secretary shall make no grant under this section to any workshop or rehabilitation facility which does not comply with safety standards which the Secretary of Labor shall prescribe by regulation.

Appropriation.

"(f) There is authorized to be appropriated for making grants under subsection (a) and subsection (b) of this section $1,500,000 for the fiscal year ending June 30, 1966, $9,000,000 for the fiscal year ending June 30, 1967, $14,000,000 for the fiscal year ending June 30, 1968, and for each of the three succeeding fiscal years only such sums may be appropriated for making grants under subsection (a) and subsection (b) of this section as the Congress may hereafter authorize by law.

"WAIVER OF STATEWIDENESS REQUIREMENTS FOR LOCALLY FINANCED ACTIVITY

"SEC. 14. In the case of any activity which, in the judgment of the Secretary, is likely to assist in promoting the vocational rehabilitation of substantially larger numbers of handicapped individuals or the vocational rehabilitation of individuals with particular types of disabilities in a State or States, the Secretary may waive compliance, with respect to vocational rehabilitation services furnished as part of such activity, with the requirement of section 5(a)(3) that the plan be in effect in all political subdivisions of the State to the extent and for such period as may be provided in accordance with regulations prescribed by him, but only if the non-Federal share of the cost of such vocational rehabilitation services is met from funds made available by a political subdivision of the State (including, to the extent permitted by such regulations, funds contributed to such subdivision by a private agency, organization, or individual).

68 Stat. 657. 29 USC 35.

"NATIONAL COMMISSION ON ARCHITECTURAL BARRIERS TO REHABILITATION OF THE HANDICAPPED

"SEC. 15. (a) There is hereby established in the Department of Health, Education, and Welfare a National Commission on Architectural Barriers to Rehabilitation of the Handicapped, consisting of the Secretary, or his designee, who shall be Chairman, and not more than fifteen members appointed by the Secretary without regard to the civil service laws. The fifteen appointed members shall be representative of the general public, and of private and professional groups having an interest in and able to contribute to the solution of architectural problems which impede the rehabilitation of the handicapped. Membership.

"(b) The Commission shall (1) determine how and to what extent architectural barriers impede access to or use of facilities in buildings of all types by the handicapped; (2) determine what is being done, especially by public and other nonprofit agencies and groups having an interest in and a capacity to deal with the problem, to eliminate such barriers from existing buildings and to prevent their incorporation into buildings constructed in the future; and (3) prepare plans and proposals for such further action as may be necessary to achieve the goal of ready access to and full use of facilities in buildings of all types by the handicapped, including proposals for bringing together in a cooperative effort, agencies, organizations, and groups already working toward that goal or whose cooperation is essential to effective and comprehensive action. Duties.

"(c) The Commission is authorized to appoint such special advisory and technical experts and consultants, and to establish such committees, as may be useful in carrying out its functions, to make studies, and to contract for studies or demonstrations to assist it in performing its functions. The Secretary shall make available to the Commission such technical, administrative, and other assistance as it may require to carry out its functions. Experts and consultants.

"(d) Appointed members of the Commission and special advisory and technical experts and consultants appointed pursuant to subsection (c) shall, while attending meetings or conferences thereof or otherwise serving on business of the Commission, 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 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. Compensation. 60 Stat. 808; 75 Stat. 339, 340.

"(e) The Commission shall, prior to January 1, 1968, submit a final report of its activities, together with its recommendations for further carrying out the purposes of this section, to the Secretary for transmission by him together with his recommendations to the President and then to the Congress. The Commission shall also prepare such interim reports as the Secretary may request. Reports to President and Congress.

"(f) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1966, and each of the two succeeding fiscal years, the sum of $250,000 for carrying out the purposes of this section." Appropriation.

SPECIAL PROGRAMS AND COMPREHENSIVE PLANNING TO EXPAND VOCATIONAL REHABILITATION SERVICES

SEC. 4. (a)(1) Section 4(a) of the Vocational Rehabilitation Act (29 U.S.C. 34(a)) is amended by striking out "(1)" where it first appears therein and inserting it immediately after "the Secretary shall make grants". 68 Stat. 655.

71 Stat. 488.
29 USC 34.

(2) Clause (2) of section 4(a) of such Act is amended to read: "(2)(A) to States and public and other nonprofit organizations and agencies for paying part of the cost of planning, preparing for, and initiating special programs to expand vocational rehabilitation services in those States where, in the judgment of the Secretary, such action holds promise of yielding a substantial increase in the number of persons vocationally rehabilitated, except that sums appropriated for any fiscal year beginning after June 30, 1970, shall not be available for grants under this clause, and sums appropriated for any fiscal year ending prior to July 1, 1970, for grants under this clause shall remain available for such grants until the close of June 30, 1971, and (B) to States (but not to exceed $100,000 for any State for any fiscal year) to meet the cost of planning for the development of a comprehensive vocational rehabilitation program in each State, with a view to achieving the orderly development of vocational rehabilitation services in the State (including vocational rehabilitation services provided by private nonprofit agencies), and making vocational rehabilitation services available to all handicapped individuals in the State by July 1, 1975, except that sums appropriated for any fiscal year beginning prior to July 1, 1965, or ending after June 30, 1967, shall not be available for grants under this clause, and sums appropriated for the period beginning July 1, 1965, and ending June 30, 1967, for grants under this clause shall remain available for such grants until the close of June 30, 1968."

Restriction.

Restriction.

68 Stat. 656.

(3) Paragraph (2) of section 4(d) of such Act is amended by inserting "(other than subsection (a)(2))" after "under this section" where it first appears therein, and by striking out "under this section" where it next appears therein and inserting in lieu thereof "thereunder".

Effective date.

(b) The amendment made by subsection (a) shall be effective with respect to fiscal years beginning after June 30, 1965.

RAISING OF LIMITATIONS ON TRAINING

SEC. 5. (a) Section 4(a) of the Vocational Rehabilitation Act (29 U.S.C. 34(a)) is amended by striking out the second sentence and inserting in lieu thereof: "Grants for training and traineeships under clause (1) of this subsection may include training and traineeships in physical medicine and rehabilitation, physical therapy, occupational therapy, speech pathology and audiology, rehabilitation nursing, rehabilitation social work, prosthetics and orthotics, rehabilitation psychology, rehabilitation counseling, recreation for the ill and handicapped, and other specialized fields contributing to vocational rehabilitation. No grant shall be made under clause (1) or clause (2) of this subsection for furnishing to an individual any one course of study extending for a period in excess of four years".

71 Stat. 474;
Post, p. 1291.

(b) Section 7(a)(3) of such Act (29 U.S.C. 37(a)(3)) is amended by striking out all that follows "any one course of study" and inserting in lieu thereof "for a period in excess of four years, and such training, instruction, fellowships, and traineeships may be in the fields of physical medicine and rehabilitation, physical therapy, occupational therapy, speech pathology and audiology, rehabilitation nursing, rehabilitation social work, prosthetics and orthotics, rehabilitation psychology, rehabilitation counseling, recreation for the ill and handicapped, and other specialized fields contributing to vocational rehabilitation; and".

DELETION OF ECONOMIC NEED AS REQUIREMENT FOR SERVICES

SEC. 6. (a) Section 11(a) of the Vocational Rehabilitation Act (29 U.S.C. 41) is amended by striking out "in the case of any such individual found to require financial assistance with respect thereto,". 68 Stat. 659.

(b) Paragraph (6) of section 11(a) of such Act is amended by striking out "(except where necessary in connection with determinations of eligibility or nature or scope of services)".

RESEARCH AND INFORMATION

SEC. 7. (a) Effective July 1, 1965, section 7(a) of the Vocational Rehabilitation Act (29 U.S.C. 37(a)) is amended by deleting paragraph (1); by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively; and by striking out, in the paragraph herein redesignated as paragraph (3), "as to the studies, investigations, demonstrations, and reports referred to in paragraph (1) and other matters".

(b) Effective July 1, 1965, section 7 of such Act (20 U.S.C. 37) is amended by adding at the end thereof the following new subsection:

"(c) The Secretary is authorized, directly or by contract—

"(1) to conduct research, studies, investigations, and demonstrations, and to make reports, with respect to abilities, aptitudes, and capacities of handicapped individuals, development of their potentialities, and their utilization in gainful and suitable employment; and

"(2) to plan, establish, and operate an information service, to make available to agencies, organizations, and other groups and persons concerned with vocational rehabilitation, information on rehabilitation resources useful for various kinds of disability and on research and the results thereof and on other matters which may be helpful in promoting the rehabilitation of handicapped individuals and their greater utilization in gainful and suitable employment.

"(d) There are authorized to be appropriated for the fiscal year ending June 30, 1966, and each succeeding fiscal year, such sums as may be necessary for carrying out the purposes of this section." Appropriation.

FLEXIBILITY IN STATE ADMINISTRATION

SEC. 8. (a) Subsection (a) of section 5 of the Vocational Rehabilitation Act (29 U.S.C. 35(a)) is amended by striking out paragraphs (1) and (2) and inserting in lieu thereof the following:

"(1)(A) designate a State agency as the sole State agency to administer the plan, or to supervise its administration in a political subdivision of the State by a sole local agency of such political subdivision, except that where under the State's law the State blind commission, or other agency which provides assistance or services to the adult blind, is authorized to provide them vocational rehabilitation services, such commission or agency may be designated as the sole State agency to administer the part of the plan under which vocational rehabilitation services are provided for the blind (or to supervise the administration of such part in a political subdivision of the State by a sole local agency of such political subdivision) and a separate State agency may be designated as the sole State agency with respect to the rest of the State plan;

"(B) provide that the State agency so designated to administer or supervise the administration of the State plan, or (if there are two State agencies designated under subparagraph (A)) so much

of the State plan as does not relate to services for the blind, shall be (i) a State agency primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of disabled individuals, (ii) the State agency administering or supervising the administration of education or vocational education in the State, or (iii) a State agency which includes at least two other major organizational units each of which administers one or more of the major public education, public health, public welfare, or labor programs of the State;

"(2) provide, except in the case of agencies described in paragraph (1)(B)(i)—

"(A) that the State agency designated pursuant to paragraph (1) (or each State agency if two are so designated) shall include a vocational rehabilitation bureau, division, or other organizational unit which (i) is primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of disabled individuals, and is responsible for the vocational rehabilitation program of such State agency, (ii) has a full-time director, and (iii) has a staff employed on such rehabilitation work of such organizational unit all or substantially all of whom are employed full time on such work; and

"(B)(i) that such unit shall be located at an organizational level and shall have an organizational status within such State agency comparable to that of other major organizational units of such agency or (ii) in the case of an agency described in paragraph (1)(B)(ii), either that such unit shall be so located and have such status or that the director of such unit shall be the executive officer of such State agency; except that, in the case of a State which has designated only one State agency pursuant to paragraph (1), such State may, if it so desires, assign responsibility for the part of the plan under which vocational rehabilitation services are provided for the blind to one organizational unit of such agency and assign responsibility for the rest of the plan to another organizational unit of such agency, with the provisions of this paragraph (2) applying separately to each of such units."

Effective date.

(b) The amendments made by subsection (a) shall become effective July 1, 1967, except that, in the case of any State, such amendments shall be effective on such earlier date (on or after the date of enactment of this Act) as such State has in effect an approved plan meeting the requirements of the Vocational Rehabilitation Act as amended by subsection (a).

SPECIAL SERVICES FOR THE BLIND AND THE DEAF

68 Stat. 659.

SEC. 9. So much of subsection (a) of section 11 of the Vocational Rehabilitation Act (29 U.S.C. 41(a)) as precedes paragraph (1) is amended by inserting after the second semicolon "provision, in the case of handicapped individuals, of reader services for such individuals who are blind and of interpreter services in the case of such individuals who are deaf;".

SERVICES TO DETERMINE REHABILITATION POTENTIAL OF RECIPIENT

SEC. 10. (a) Subsection (b) of section 11 of the Vocational Rehabilitation Act (29 U.S.C. 41(b)) is amended by inserting before the period at the end thereof: "; except that nothing in the preceding provisions of this subsection or in subsection (a) shall be construed to exclude from 'vocational rehabilitation services' any goods or serv-

ices provided to an individual who is under a physical or mental disability which constitutes a substantial handicap to employment, during the period, not in excess of eighteen months in the case of any individual who is mentally retarded or has a disability designated for this purpose by the Secretary, or six months in the case of an individual with any other disability, determined (in accordance with regulations of the Secretary) to be necessary for, and which are provided for the purpose of, ascertaining whether it may reasonably be expected that such individual will be rendered fit to engage in a remunerative occupation through the provision of goods and services described in subsection (a), but only if the goods or services provided to him during such period would constitute 'vocational rehabilitation services' if his disability were of such a nature that he would be a 'handicapped individual' under such preceding provisions of this subsection".

68 Stat. 659.
29 USC 41.

(b) The amendment made by subsection (a) shall apply in the case of expenditures made after June 30, 1965, under a State plan approved under the Vocational Rehabilitation Act.

Applicability.

MANAGEMENT SERVICES AND SUPERVISION OF BUSINESS ENTERPRISES OF THE HANDICAPPED

SEC. 11. Effective July 1, 1966, section 11(a)(7) of the Vocational Rehabilitation Act (29 U.S.C. 41(a)(7)) is amended to read as follows:

"(7) in the case of any type of small business operated by the severely handicapped the operation of which can be improved by management services and supervision provided by the State agency, the provision of such services and supervision, alone or together with the acquisition by the State agency of vending stands or other equipment and initial stocks and supplies; and".

TECHNICAL AMENDMENTS

SEC. 12. (a) Section 4(d)(3) of the Vocational Rehabilitation Act (29 U.S.C. 34(d)(3)) is amended to read as follows:

"(3) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council or at the request of the Secretary, shall 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 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."

National Advisory Council members.

60 Stat. 808; 75 Stat. 339, 340.

(b)(1) The last sentence of section 4(a), the second sentence of section 4(d)(1), the first sentence of section 4(d)(2), section 5(a)(4), the paragraphs of section 7(a) redesignated (by section 7 of this Act) as paragraphs (1) and (3), the portion of section 11(a) preceding paragraph (1), paragraph (8) of section 11(a), section 11(b), and so much of section 11(c) as precedes paragraph (1), of such Act, are each amended by striking out "physically handicapped individuals" and inserting in lieu thereof "handicapped individuals".

29 USC 35.

(2) The third sentence of section 4(d)(1) of such Act is amended by striking out "physically handicapped" and inserting in lieu thereof "handicapped".

(3) Section 8 of such Act is amended by striking out "Physically Handicapped" and inserting in lieu thereof "Handicapped" and by striking out "handicapped individuals" and inserting in lieu thereof "individuals".

29 USC 38.

68 Stat. 660.
29 USC 41.

(c) Section 11(d) of such Act is amended by striking out "severely handicapped individuals" and inserting in lieu thereof "the severely handicapped".

(d) Subsections (a), (b), and (d) of section 11 of such Act are amended by striking out "remunerative" and inserting in lieu thereof "gainful".

FEDERAL SHARE

SEC. 13. (a) Effective for the fiscal year ending June 30, 1966, section 11(i) of the Vocational Rehabilitation Act is amended to read as follows:

"(i) The term 'Federal share' for any State shall be equal to its Federal share as determined hereunder for the fiscal year ending June 30, 1965, plus one-half the difference between such share and 75 per centum."

(b) Effective for fiscal years beginning after June 30, 1966, such section 11(i) is amended to read as follows:

"(i) The term 'Federal share' means 75 per centum."

PRESIDENT'S COMMITTEE ON NATIONAL EMPLOYMENT OF THE HANDICAPPED

SEC. 14. The joint resolution entitled "Joint resolution authorizing an appropriation for the work of the President's Committee on National Employ the Physically Handicapped Week", approved July 11, 1949 (63 Stat. 409), as amended, is amended by striking out "$400,000" and inserting in lieu thereof "$500,000".

78 Stat. 221.

Approved November 8, 1965.

Public Law 89-334

November 8, 1965
[S. 2542]

AN ACT

To amend the Small Business Act.

Revolving fund.
Ante, p. 484.

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 "$1,721,000,000" and inserting in lieu thereof "$1,841,000,000".

Approved November 8, 1965.

Public Law 89-335

November 8, 1965
[H. R. 5493]

AN ACT

To provide that the flag of the United States of America may be flown for twenty-four hours of each day in Lexington, Massachusetts.

Lexington, Mass.
Display of U.S. flag.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any rule or custom pertaining to the display of the flag of the United States of America as set forth in the joint resolution entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America", approved June 22, 1942 (36 U.S.C. 171–178), the flag of the United States of America may be flown for twenty-four hours of each day on the green of the town of Lexington, Massachusetts. The flag may not be flown pursuant to the authority contained in this Act during the hours from sunset to sunrise unless it is illuminated.

56 Stat. 1074.

Approved November 8, 1965.

Public Law 89-336

AN ACT

November 8, 1965
[H. R. 797]

To establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes.

Whiskeytown-Shasta-Trinity National Recreation Area, Calif. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide, in a manner coordinated with the other purposes of the Central Valley project, for the public outdoor recreation use and enjoyment of the Whiskeytown, Shasta, Clair Engle, and Lewiston reservoirs and surrounding lands in the State of California by present and future generations and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California (hereinafter referred to as the "recreation area"). The boundaries of the recreation area, which consists of the Whiskeytown unit, the Shasta unit, and the Clair Engle-Lewiston unit, shall be those shown in drawing numbered BOR-WST 1004, dated July 1963, entitled "Proposed Whiskeytown-Shasta-Trinity National Recreation Area", which is on file and available for public inspection in the office of the Director of the Bureau of Outdoor Recreation, Department of the Interior. The Whiskeytown unit shall be administered by the Secretary of the Interior; and the Shasta and Clair Engle-Lewiston units shall be administered by the Secretary of Agriculture, except that lands or waters needed or used for the operation of the Central Valley project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation. The two Secretaries shall coordinate their planning and administration of the respective units in such manner as to provide integrated management policies for the recreation area as a whole for the purposes of this Act in order to bring about uniformity to the fullest extent feasible in the administration and use of the recreation area.

Administration.

ACQUISITION OF PROPERTY

SEC. 2. (a) Within the boundaries of the portion of the recreation area under his jurisdiction and outside such boundaries when required for the construction or improvement of access roads thereto, each Secretary is authorized to acquire lands, waters, or other property, or any interest therein, in such manner, including exchange as hereinafter provided, as he considers to be in the public interest to carry out the purposes of this Act. In connection with any such acquisition, each Secretary may permit the grantor a reservation of all or any part of the minerals or of any other interest or right of use in such lands or waters on such terms and conditions as the Secretary may deem appropriate. Any property or interest therein owned by the State of California or any political subdivision thereof within the recreation area may be acquired under the authority of this Act only with the concurrence of the owner. Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the appropriate Secretary for use by him in carrying out the purposes of this Act.

The Secretary of the Interior, in order to assure public access to Clear Creek and to provide hiking and horseback riding trails for the public, may, as he deems necessary for these purposes acquire such easements or other interests on either or both sides of Clear Creek

between the south boundary of the Whiskeytown unit and the highway at Igo, California.

The Secretary of Agriculture is authorized to acquire scenic easements or such other interests, including ownership of the land therein, as he determines to be appropriate to protect and assure the appearance of a strip of land not to exceed six hundred and sixty feet on each side of the centerline of Federal Aid Secondary Highway Numbered 1089 between the points where said highway crosses the south line of sections 19 and 20, township 35 north, range 8 west, and where it crosses the south line of section 18, township 36 north, range 7 west, on the northwesterly side of the Clair Engle-Lewiston unit: *Provided*, That such easements or interests shall not be acquired without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that, in the judgment of the Secretary of Agriculture, conforms to the zoning standards set forth in regulations issued pursuant to subsection (e).

Mutual consultation.

The two Secretaries shall engage in mutual consultation with respect to such acquisition and to exchange transactions so as to promote uniform policies therefor insofar as practicable, taking into consideration the purposes of the recreation area as a whole, the responsibility of the Secretary of the Interior for the administration of federally owned minerals and of the Central Valley project, and the responsibility of the Secretary of Agriculture for the administration of national forests.

Acquisition of non-Federal property.

(b) When the public interests will be benefited thereby, the Secretary of the Interior and the Secretary of Agriculture are each authorized to accept title to any non-Federal property within any part of the recreation area and in exchange therefor convey to the grantor of such property any federally owned property under his jurisdiction within the State of California which he classifies as suitable for exchange or other disposal, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary of the Interior or the Secretary of Agriculture, as the case may be, may accept cash from or pay cash to the grantor in such exchange in order to equalize the value of the properties exchanged. The Secretary of Agriculture shall obtain the concurrence of the Secretary of the Interior with respect to the value of any mineral interests in any such exchange proposed to be made by the Secretary of Agriculture.

Noncommercial residency.

(c) Any owner or owners of improved residential property on the date of its acquisition by either Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the property by himself and members of his immediate family for noncommercial residential purposes for a term ending at the death of such owner, the death of his spouse, or the day his last surviving child reaches the age of thirty, whichever is the latest. The value of the right retained shall be taken into consideration by the respective Secretary in determining the value of the property being acquired.

"Improved property."

(d) Privately owned "improved property" or interests therein shall not be acquired under this Act without the consent of the owner so long as an appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is approved by the Secretary having jurisdiction of the unit wherein the property is located. The term "improved property" as used in this Act shall mean any building or group of related buildings the actual construction of which was begun before February 7, 1963, together with not more than three acres of the land in the same ownership on which the building or group of buildings is situated: *Provided*.

That the respective Secretary may exclude from improved property any shore or waters, together with so much of the land adjoining such shore or waters as he deems necessary for public access thereto.

Joint issue of zoning regulations.

(e) Prior to the approval of any zoning ordinance for the purposes of this section, the Secretary of the Interior and the Secretary of Agriculture shall jointly issue regulations, which may be amended from time to time, specifying standards for such zoning ordinances. Standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses, other than commercial or industrial uses which the Secretaries consider to be consistent with the purposes of this Act; (2) promoting the protection and development of properties for purposes of this Act by means of use, acreage, frontage, setback, density, height, or other requirements; and (3) providing that the appropriate Secretary shall receive notice of any variance granted under, or any exception made to, the application of the zoning ordinance. Following issuance of such regulations, each Secretary shall approve any zoning ordinance or any amendment to an approved zoning ordinance submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Such approval shall remain effective for so long as such ordinance or amendment remains in effect as approved.

(f) The suspension of the respective Secretary's authority to acquire any improved property without the owner's consent shall automatically cease if (1) such property is made the subject of a variance or exception to any applicable zoning ordinance that does not conform to any applicable standard contained in regulations issued pursuant to this section; or (2) if such property is put to any use which does not conform to any applicable zoning ordinance.

(g) Each Secretary shall furnish to any party in interest upon request a certificate indicating the property with respect to which the Secretary's authority to acquire without the owner's consent is suspended.

Property development certificate.

(h) Within the Shasta and Clair Engle-Lewiston units any owner of unimproved property who proposes to develop his property or a part thereof for service to the public may submit to the Secretary of Agriculture a development plan which shall set forth the manner in which and the time by which the property is to be developed and the use to which it is proposed to be put. If upon review of such plan the Secretary determines that the development and use of the property in the manner prescribed conforms to a zoning ordinance approved in accordance with the provisions of this section and that such use and development would serve the purposes of this Act, the Secretary of Agriculture may in his discretion issue to such owner a certificate to that effect. Upon the issuance of any such certificate and so long as such property is developed, maintained, and used in conformity therewith, the authority of the Secretary of Agriculture to acquire such property or any interest therein without the consent of the owner shall be suspended. This subsection shall not apply to any property which the Secretary of Agriculture determines to be needed for easements and rights-of-way for access, utilities, or facilities, or for administrative sites, campgrounds, or other areas needed for use by the United States for visitors to the national recreation area.

ESTABLISHMENT OF UNITS: BOUNDARY DESCRIPTIONS

Publication in Federal Register.

SEC. 3. (a) When the Secretary of Agriculture determines that sufficient lands, waters, or interest therein are owned or have been acquired by the United States within the boundaries of the Shasta unit or within the boundaries of the Clair Engle-Lewiston unit to

permit efficient initial development and administration for the purposes of this Act, he shall publish in the Federal Register a notice to that effect and a detailed description of the boundaries of such unit.

Publication in Federal Register.

(b) When the Secretary of the Interior determines that sufficient lands, waters, or interest therein are owned or have been acquired by the United States within the boundaries of the Whiskeytown unit to permit efficient initial development and administration for the purposes of this Act, he shall publish in the Federal Register a notice to that effect and a detailed description of the boundaries of the unit.

(c) Following the publication of any such notice, the respective Secretaries may continue to acquire the remaining property within the recreation area.

ADMINISTRATION: PRIORITIES

SEC. 4. (a) Each Secretary is authorized and directed to administer the portion of the recreation area under his jurisdiction in a manner coordinated with the other purposes of the Central Valley project and with the purposes of the recreation area as a whole and 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 renewable natural resources as in the judgment of the respective Secretary will promote or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment. Such administration shall be carried out under land and water use management plans which each Secretary shall prepare and may from time to time revise in consultation with the other.

(b) In the administration of the portion of the recreation area under his jurisdiction—

(1) the Secretary of Agriculture shall utilize statutory authorities relating to the national forests in such manner as he deems appropriate to carry out the purposes of this Act; and

(2) the Secretary of the Interior 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 development of natural resources as he deems appropriate to carry out the purposes of this Act.

HUNTING AND FISHING

SEC. 5. Each Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the recreation area in accordance with the applicable laws of the State of California and of the United States: *Provided*, That each Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, or public use and enjoyment not compatible with hunting or fishing. Regulations prescribing any such restrictions shall be issued after consultation with the California Department of Fish and Game.

MINERAL DEVELOPMENT

SEC. 6. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary of the Interior, under such regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interests in lands

under his jurisdiction within the recreation area in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and from those under the jurisdiction of the Secretary of Agriculture within the recreation area in accordance with the provisions of section 3 of the Act of September 1, 1949 (63 Stat. 683; 30 U.S.C. 192c), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation area in accordance with the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the purposes of the Central Valley project or the administration of the recreation area: *Provided*, That any lease or permit respecting such minerals in lands administered by the Secretary of Agriculture shall be issued only with his consent and subject to such conditions as he may prescribe.

41 Stat. 437.
61 Stat. 913.

All receipts derived from permits and leases issued under the authority of this section on lands administered by the Secretary of Agriculture shall be paid into the same funds or accounts in the Treasury of the United States and shall be distributed in the same manner as provided for other receipts from the lands affected by the lease or permit, except that any receipts derived from permits or leases issued on those or other lands in the recreation area under the Mineral Leasing Act of February 25, 1920, as amended, or the Act of August 7, 1947, shall be disposed of as provided in the applicable Act; and receipts from the disposition of nonleasable minerals from public lands under the jurisdiction of the Secretary of the Interior shall be disposed of in the same manner as moneys received from the sale of public lands.

Disposal of receipts.

STATE JURISDICTION

SEC. 7. Nothing in this Act shall deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area or of its right to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area.

ADDITIONS TO THE SHASTA AND TRINITY NATIONAL FORESTS

SEC. 8. The exterior boundaries of the Shasta National Forest in the State of California are hereby extended to include the lands described in the Act of March 19, 1948 (62 Stat. 83), and sections 22 and 27, township 35 north, range 1 west, Mount Diablo base and meridian. The exterior boundaries of the Trinity National Forest in the State of California are hereby extended to include all of sections 4, 5, and 8, the east half and the northwest quarter of section 6, the east half of section 7, the northwest quarter of section 17, and the northeast quarter of section 18, township 33 north, range 8 west, Mount Diablo base and meridian. Subject to any valid claim or entry now existing and hereafter legally maintained, all public lands of the United States and all lands of the United States heretofore or hereafter acquired or reserved for use in connection with the Shasta, Clair Engle, or Lewiston Reservoirs of the Central Valley project within the exterior boundaries of the Shasta and Trinity National Forests which have not heretofore been added to and made a part of such forests, and all lands of the United States acquired for the purposes of the recreation area in the Shasta or Clair Engle-Lewiston units are hereby added to and made a part of the respective national forests within which they are situated: *Provided*, That lands within the flow

lines of any reservoir operated and maintained by the Department of the Interior or otherwise needed or used for the operation of the Central Valley project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

Disposal of revenues.

SEC. 9. Revenues and fees obtained by the United States from operation of the national recreation area shall be subject to the same statutory provisions concerning the disposition thereof as are similar revenues collected in areas of the national park system except that fees and revenues obtained from mineral development and from activities under other public land laws within the recreation area shall be disposed of in accordance with the provisions of the applicable laws.

Appropriation.

SEC. 10. There are hereby authorized to be appropriated for the acquisition of lands and interests in land pursuant to the provisions of this Act not more than $21,600,000. There are also authorized to be appropriated not more than $22,700,000 for the development of recreation facilities pursuant to the provisions of this Act.

Approved November 8, 1965.

Public Law 89-337

November 8, 1965
[S. 2679]

AN ACT

To amend the Watershed Protection and Flood Prevention Act, as amended.

Watersheds. Floodwater capacity, increase. 70 Stat. 1088. 16 USC 1002.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Watershed Protection and Flood Prevention Act (68 Stat. 666), as amended, is amended by striking out "more than five thousand acre-feet of floodwater detention capacity" and inserting in lieu thereof "more than twelve thousand five hundred acre-feet of floodwater detention capacity".

Approved November 8, 1965.

Public Law 89-338

November 8, 1965
[H. R. 7475]

AN ACT

To name the authorized lock and dam numbered 6 on the Arkansas River in Arkansas and the lake created thereby for David D. Terry.

David D. Terry lock and dam; David D. Terry Lake. Designation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lock and dam numbered 6, Arkansas, a feature of the Arkansas River navigation project, authorized to be constructed by the River and Harbor Act of July 24, 1946 (60 Stat. 641, 647), shall be known and designated hereafter as the David D. Terry lock and dam, and the lake created thereby as the David D. Terry Lake. Any law, regulation, map, document, record, or other paper of the United States in which such lock and dam and lake are referred to shall be held to refer to such lock and dam as the David D. Terry lock and dam, and the lake as the David D. Terry Lake.

Approved November 8, 1965.

Public Law 89-339

AN ACT

November 8, 1965
[H. R. 11539]

To provide assistance to the States of Florida, Louisiana, and Mississippi for the reconstruction of areas damaged by the recent hurricane.

Southeast Hurricane Disaster Relief Act of 1965.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby recognizes that the States of Florida, Louisiana, and Mississippi suffered extensive property loss and damage as a result of Hurricane Betsy in 1965 (including, but not limited to, loss and damage from flood, high waters, and wind-driven waters caused by such hurricane) and that there is a need for special measures designed to aid and accelerate these States in their efforts to provide for the reconstruction of highways and public works projects, and to otherwise rehabilitate these devastated areas.

Trailers, sale.

SEC. 2. Notwithstanding any other provision of law, trailers provided as a result of Hurricane Betsy as temporary housing under clause (d) of section 3 of 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. 1855b), may be sold directly to the persons who are the occupants thereof at prices that are fair and equitable.

64 Stat. 1110; 65 Stat. 173.

Small business disaster loans.

SEC. 3. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in the States of Florida, Louisiana, and Mississippi resulting from Hurricane Betsy, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500, (A) cancel up to $1,800 of the loan, or (B) waive interest due on the loan in a total amount of not more than $1,800 over a period not to exceed three years; and (2) may lend to a privately owned school, 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.

72 Stat. 389.
Ante, p. 206.

Farmers emergency loan program.
75 Stat. 311.

SEC. 4. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961—67), in the case of property loss or damage in the States of Florida, Louisiana, and Mississippi, resulting from flood, high waters, or wind-driven water or uninsurable crop loss, caused by Hurricane Betsy, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, at the borrower's option on that part of any loan in excess of $500, (1) cancel up to $1,800 of the loan, or (2) waive interest due on the loan in a total amount of not more than $1,800 over a period not to exceed three years without regard to whether the required financial assistance is otherwise available from private sources.

Alternative financial assistance programs, study.
Ante, p. 667.
Reports to President and Congress.

SEC. 5. The Secretary of Housing and Urban Development shall undertake an immediate study of alternative programs which could be established to help provide financial assistance to those suffering property losses in flood and other natural disasters, including alternative methods of Federal disaster insurance, as well as the existing flood insurance program, and shall report his findings and recommendations to the President for submission to the Congress not later than nine months after the appropriation of funds for this study, except that the findings and recommendations on earthquake insurance shall be reported to the President for submission to the Congress not later than three years after the appropriation of funds for this study.

Appropriation.

SEC. 6. There is hereby authorized to be appropriated not to exceed $70,000,000 to carry out this Act, and such sums shall remain available until expended.

Expiration date.

SEC. 7. This Act, other than sections 5 and 6, shall not be in effect after January 1, 1967, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

Short title.

SEC. 8. This Act may be cited as the "Southeast Hurricane Disaster Relief Act of 1965".

Approved November 8, 1965.

Public Law 89-340

November 8, 1965
[H. J. Res. 788]

JOINT RESOLUTION

Establishing that the second regular session of the Eighty-ninth Congress convene at noon on Monday, January 10, 1966.

89th Congress.
Second session.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second regular session of the Eighty-ninth Congress shall begin at noon on Monday, January 10, 1966.

Approved November 8, 1965.

Public Law 89-341

November 8, 1965
[H. R. 5597]

AN ACT

To relieve physicians of liability for negligent medical treatment at the scene of an accident in the District of Columbia.

D.C. physicians.
Relief of liability for negligence.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no physician licensed to practice medicine or osteopathy in the District of Columbia or in any State, and no registered nurse licensed in the District of Columbia or in any State, shall be liable in civil damages for any act or omission, not constituting gross negligence, in the course of such physician or nurse rendering (in good faith and without expectation of receiving or intending to seek compensation) medical care or assistance at the scene of an accident or other medical emergency in the District of Columbia and outside a hospital.

Approved November 8, 1965.

Public Law 89-342

November 8, 1965
[H. R. 11267]

AN ACT

To amend the joint resolution of March 25, 1953, relating to electrical and mechanical office equipment for the use of Members, officers, and committees of the House of Representatives, to remove certain limitations.

House of Representatives.
Office equipment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d) of the first section of the joint resolution entitled "Joint resolution to authorize the Clerk of the House of Representatives to furnish certain electrical or mechanical office equipment for the use of Members, officers, and committees of the House of Representatives", approved March 25, 1953 (2 U.S.C. 112a(d)), is hereby repealed.

69 Stat. 13.

Approved November 8, 1965.

Public Law 89-343

AN ACT

November 8, 1965
[S. 1004]

To amend the Federal Property and Administrative Services Act of 1949, to make title III thereof directly applicable to procurement of property and services by executive agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 302 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is amended to read as follows:

Property and services.
Procurement procedures, applicability.
72 Stat. 966.
41 USC 252.

"SEC. 302. (a) Executive agencies shall make purchases and contracts for property and services in accordance with the provisions of this title and implementing regulations of the Administrator; but this title does not apply—

"(1) to the Department of Defense, the Coast Guard, and the National Aeronautics and Space Administration; or

"(2) when this title is made inapplicable pursuant to section 602(d) of this Act or any other law, but when this title is made inapplicable by any such provision of law sections 3709 and 3710 of the Revised Statutes, as amended (41 U.S.C. 5 and 8), shall be applicable in the absence of authority conferred by statute to procure without advertising or without regard to said section 3709."

63 Stat. 401;
64 Stat. 583.
40 USC 374.
Infra.

SEC. 2. Subsection (c) of section 302 of said Act is amended by revising paragraph (15) to read:

Negotiated contracts.
63 Stat. 393;
72 Stat. 966.
41 USC 254.

"(15) otherwise authorized by law, except that section 304 shall apply to purchases and contracts made without advertising under this paragraph."

SEC. 3. The second sentence of subsection (a) of section 307 of said Act is amended by inserting immediately after "section," the following: "and except as provided in section 205(d) with respect to the Administrator,".

41 USC 257.
40 USC 486.

SEC. 4. Subsection (b) of section 307 of said Act is amended by striking out the second sentence thereof.

SEC. 5. Section 310 of said Act is amended to read as follows:

41 USC 260.

"SEC. 310. Sections 3709, 3710, and 3735 of the Revised Statutes, as amended (41 U.S.C. 5, 8, and 13), shall not apply to the procurement of property or services made by an executive agency pursuant to this title. Any provision of law which authorizes an executive agency (other than an executive agency which is exempted from the provisions of this title by section 302(a) of this Act), to procure any property or services without advertising or without regard to said section 3709 shall be construed to authorize the procurement of such property or services pursuant to section 302(c)(15) of this Act without regard to the advertising requirements of sections 302(c) and 303 of this Act."

41 USC 253.

SEC. 6. Subsection (d) of section 602 of said Act is amended as follows:

Exemptions.
40 USC 474.

(a) By striking out the semicolon at the end of paragraph (15) and inserting in lieu thereof a comma and the following: "and the leasing and acquisition of real property, as authorized by law;".

Postmaster General.

(b) By striking out the word "or" where it appears at the end of paragraph (18).

(c) By striking out the period at the end of paragraph (19), and inserting in lieu thereof a semicolon and the word "or".

Secretary of Interior.

(d) By adding at the end of that subsection the following new paragraph:

"(20) The Secretary of the Interior with respect to procurement for program operations under the Bonneville Project Act of 1937 (50 Stat. 731), as amended."

16 USC 832-832*l*.

Approved November 8, 1965.

Public Law 89-344

November 8, 1965
[H. R. 9830]

AN ACT

To amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor.

Federal agencies.
Sidewalk repair, etc., State reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 210 of the Federal Property and Administrative Services Act of 1949, 64 Stat. 580, as amended (40 U.S.C. 490), is further amended by adding the following new subsection:

"(i) (1) Any executive agency is authorized to install, repair, and replace sidewalks around buildings, installations, properties, or grounds under the control of such agency and owned by the United States within the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States, by reimbursement to a State or political subdivision thereof, the District of Columbia, the Commonwealth of Puerto Rico, and a possession of the United States, or otherwise.

"(2) Installation, repair, and replacement under this subsection shall be performed in accordance with regulations to be prescribed by the Administrator of General Services with the approval of the Director of the Bureau of the Budget.

"(3) Funds appropriated to the agency for installation, repair, and maintenance, generally, shall be available for expenditure to accomplish the purposes of this subsection.

"(4) Nothing contained herein shall increase or enlarge the tort liability of the United States for injuries to persons or damages to property beyond such liability presently existing by virtue of any other law."

Approved November 8, 1965.

Public Law 89-345

November 8, 1965
[H. R. 4421]

AN ACT

Authorizing the Administrator of Veterans' Affairs to convey certain property to the city of Cheyenne, Wyoming.

Cheyenne, Wyo.
Conveyance.

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 is authorized to convey, without monetary consideration, to the city of Cheyenne, Wyoming, for park and recreational purposes, all right, title, and interest of the United States in and to a tract of twenty-seven acres of land, more or less, constituting a portion of the reservation of the Veterans' Administration Center, Cheyenne, Wyoming. The exact legal description of the tract shall be determined by the Administrator of Veterans' Affairs, and if a survey is required in order to make such determination, the city of Cheyenne, Wyoming, shall bear the expense thereof.

SEC. 2. Any deed of conveyance made pursuant to this Act shall—

Conditions.

(a) provide that the land conveyed shall be used for park and recreational purposes and in a manner that will not, in the judgment of the Administrator of Veterans' Affairs, or his designate, interfere with the care and treatment of patients in the Veterans' Administration Center, Cheyenne, Wyoming;

(b) contain such additional terms, conditions, reservations, easements, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interest of the United States:

(c) provide that if the city of Cheyenne, Wyoming, violates any provision of the deed of conveyance or alienates or attempts to alienate all or any part of the parcel so conveyed, title thereto shall revert to the United States; and that a determination by the Administrator of Veterans' Affairs of any such violation or alienation or attempted alienation shall be final and conclusive; and

(d) provide that in the event of such reversion, all improvements made by the city of Cheyenne, Wyoming, during its occupancy shall vest in the United States without payment of compensation therefor.

Approved November 8, 1965.

Public Law 89-346

November 8, 1965
[S. 2118]

AN ACT

To amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Shipping Act, 1916 (46 U.S.C. 808), is amended by inserting a new paragraph between the existing third and fourth paragraphs thereof as follows:

Merchant vessels.
Mortgage bonds, sale and validity.
39 Stat. 730; 52 Stat. 964.

"The issuance, transfer, or assignment of a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, to a person not a citizen of the United States, without the approval of the Secretary of Commerce, is unlawful unless the trustee or a substitute trustee of such mortgage or assignment is approved by the Secretary of Commerce. The Secretary of Commerce shall grant his approval if such trustee or a substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States or any State thereof, (2) is authorized under such laws to exercise corporate trust powers, (3) is a citizen of the United States, (4) is subject to supervision or examination by Federal or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000,000. If such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful. The trustee or substitute trustee approved by the Secretary of Commerce shall not operate the vessel under the mortgage or assignment without the approval

of the Secretary of Commerce. If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, is issued, transferred, or assigned to a person not a citizen of the United States in violation of this section, the issuance, transfer, or assignment shall be void."

Restrictions during war or national emergency. 40 Stat. 901.

SEC. 2. Section 37 of the Shipping Act, 1916 (46 U.S.C. 835), is amended as follows:

(a) By relettering the existing subsections (c), (d), and (e) as (d), (e), and (f) and by inserting a new subsection (c) as follows:

"(c) To issue, transfer, or assign a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, or by a mortgage to a trustee on a shipyard, drydock, or ship-building or ship-repairing plant or facilities, to a person not a citizen of the United States, unless the trustee or a substitute trustee of such mortgage or assignment is approved by the Secretary of Commerce: *Provided, however*, That the Secretary of Commerce shall grant his approval if such trustee or a substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States or any State thereof, (2) is authorized under such laws to exercise corporate trust powers, (3) is a citizen of the United States, (4) is subject to supervision or examination by Federal or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000,000; or for the trustee or substitute trustee approved by the Secretary of Commerce to operate said vessel under the mortgage or assignment: *Provided further*, That if such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful; or".

(b) By inserting a new paragraph between the existing second and third paragraphs thereof as follows:

"If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, or by a mortgage to a trustee on a shipyard, drydock or ship-building or ship-repairing plant or facilities, is issued, transferred, or assigned to a person not a citizen of the United States in violation of subsection c of this section, the issuance, transfer or assignment shall be void."

Ship mortgage bonds. Transfer or assignment to noncitizens. 41 Stat. 1004.

SEC. 3. Subsection O of the Ship Mortgage Act, 1920 (46 U.S.C. 961), is amended by relettering the existing paragraph (e) as paragraph (f) and by inserting a new paragraph (e) as follows:

"(e) No bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee may be issued, transferred, or assigned to a person not a citizen of the United States, without the approval of the Secretary of Commerce, unless the trustee or substitute trustee of such mortgage is approved by the Secretary of Commerce. The Secretary of Commerce shall grant his approval if such trustee or substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States or any State thereof, (2) is authorized under such laws to exercise corporate trust powers, (3) is a citizen of the United States, (4) is subject to supervision or examination by Federal

or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000,000. If such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful. If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee is issued, transferred, or assigned to a person not a citizen of the United States in violation of this paragraph, the issuance, transfer, or assignment shall be void."

Validity of bonds held by noncitizens.

SEC. 4. Bonds, notes, and other evidence of indebtedness which are secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction which have heretofore been issued, transferred, or assigned, or are issued, transferred, or assigned within one year after the enactment of this Act, to a person not a citizen of the United States without the approval of the Secretary of Commerce are valid in the hands of such person and the validity and preferred status of such mortgage and the validity and lawfulness of such issuance, transfer, or assignment shall not be affected by such issuance, transfer, or assignment if the trustee or a substitute trustee is approved by the Secretary of Commerce within one year after enactment of this Act, under the standards for trustees specified in the amendments made by this Act to sections 9 and 37 of the Shipping Act, 1916, and to subsection O of the Ship Mortgage Act, 1920.

Pending litigation.

Nothing in this section shall be construed to alter retroactively any rights which were the subject matter of litigation pending on the date of enactment of this Act.

Approved November 8, 1965.

Public Law 89-347

November 8, 1965
[S. 1320]

AN ACT

To amend certain criminal laws applicable to the District of Columbia, and for other purposes.

District of Columbia. Criminal Laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 848 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. 22-403), is further amended to read as follows:

50 Stat. 629.

Destruction of property.

"SEC. 848. Whoever maliciously injures or breaks or destroys, or attempts to injure or break or destroy, by fire or otherwise, any public or private property, whether real or personal, not his own, of the value of $200 or more, shall be fined not more than $5,000 or shall be imprisoned for not more than ten years, or both, and if the value of the property be less than $200 shall be fined not more than $1,000 or imprisoned for not more than one year, or both."

34 Stat. 126.

SEC. 2. The first section of the Act entitled "An Act for the preservation of the public peace and the protection of property in the District of Columbia", approved July 29, 1892, as amended (D.C. Code, sec. 22-3112), is further amended by striking out "destroy, injure, disfigure, cut, chip, break," and inserting in lieu thereof "disfigure, cut, chip,".

Kidnaping.

47 Stat. 858.

SEC. 3. Section 812 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. 22–2101), is further amended by striking out "for ransom or reward", and inserting in lieu thereof "for ransom or reward or otherwise, except, in the case of a minor, by a parent thereof,".

Immunity privileges.

38 Stat. 282.

SEC. 4. Section 9 of the Act entitled "An Act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining such nuisance and against the building and owner thereof", approved February 7, 1914, as amended (D.C. Code, sec. 22–2721), is further amended to read as follows:

77 Stat. 617.

"SEC. 9. In any prosecution for violation of this Act or so much of the first section of the Act entitled 'An Act to confer concurrent jurisdiction on the police court of the District of Columbia in certain cases', approved July 16, 1912 (37 Stat. 192; D.C. Code, sec. 22–2722), as relates to the keeping of a bawdy or disorderly house, the court, upon application of the United States attorney made after such attorney has given notice thereof to the Corporation Counsel of the District of Columbia, may order any witness to testify or to produce evidence, or both. Upon such order of the court, such witness shall not be excused from testifying or from producing evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which he has been ordered to testify or to produce evidence after having claimed the privilege against self-incrimination, nor shall testimony or other evidence ordered to be given or produced under the provisions of this section be used as evidence in any criminal proceeding against him in any court. No witness shall be exempt under this section from prosecution for perjury or contempt committed in connection with giving testimony or producing evidence under order of the court as provided in this section."

Healing arts.
Corporation Counsel, enforcement functions.

45 Stat. 1340.

SEC. 5. The last sentence of section 46 of the Healing Arts Practice Act, District of Columbia, 1928, as amended (D.C. Code, sec. 2–137), is further amended by striking out "by said United States District Attorney when instituted on behalf of the Commission, and" and by striking out "when instituted on behalf of the Commissioners of said District or by the major and superintendent of police of said District".

45 Stat. 1521.

SEC. 6. The fourth sentence of section 8 of the Act entitled "An Act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended (D.C. Code, sec. 2–407), is amended by striking out "United States Attorney for the District of Columbia" and inserting in lieu thereof "Corporation Counsel of the District of Columbia".

43 Stat. 177.

SEC. 7. Section 2 of the Act entitled "An Act to regulate the practice of optometry in the District of Columbia", approved May 28, 1924 (D.C. Code, sec. 2–502), is amended by adding at the end thereof the following new sentence: "Prosecutions for violations of this Act shall be conducted in the name of the District of Columbia by the Corporation Counsel.".

SEC. 8. Section 9 of the Act entitled "An Act to create a board of accountancy for the District of Columbia, and for other purposes", approved February 17, 1923 (D.C. Code, sec. 2-909), is amended by adding at the end thereof the following new sentence: "Prosecutions for violations of this Act shall be conducted in the name of the District of Columbia by the Corporation Counsel.". Accountants. 42 Stat. 1263.

SEC. 9. (a) Sections 425 to 428, inclusive, of the Act entitled "An Act to revise and consolidate the statutes of the United States, general and permanent in their nature, relating to the District of Columbia, in force on the first day of December, in the year of our Lord one thousand eight hundred and seventy-three", approved June 22, 1874 (D.C. Code, secs. 4-168—171, inclusive), are hereby repealed. Repeal.

(b) The Board of Commissioners of the District of Columbia shall by regulation require that bonds in the amount of not more than $25,000 shall be furnished and kept in force by all persons licensed as private detectives in the District of Columbia. Bonds required by this section shall be corporate bonds and shall run to the District and shall be conditioned upon the observance by the licensed private detective and any agent, employee, or person acting in behalf of the licensed private detective of all laws and regulations in force in the District of Columbia applicable to the conduct of persons licensed as private detectives. Such bonds shall be for the benefit of any person who may suffer damages as a result of violation of any law or regulation by or on the part of any licensed private detective or any agent, employee, or person acting on the behalf of any private detective. In addition to any right to any other legal action, any person aggrieved by the violation of any law or regulation by a licensed private detective may bring suit against the surety on a bond required by this section either alone or jointly with the principal thereon and recover damages for such violation of law or regulation in an amount not to exceed the penal amount of the bond. The provisions of the second, third, and fifth subparagraphs of paragraph (b) of the first section of the Act entitled "An Act to grant additional powers to the Commissioners, and for other purposes", approved December 20, 1944 (58 Stat. 820; sec. 1-244(b), D.C. Code), shall be applicable to each bond authorized by this section as if it were the bond authorized by the first subparagraph of such paragraph (b): *Provided*, That nothing in this subsection shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished after any prior recovery or recoveries. Private detectives, bond requirement.

SEC. 10. The last sentence of the first section of the Act entitled "An Act to provide for the conservation and settlement of estates of absentees and absconders in the District of Columbia, and for other purposes", approved April 8, 1935, as amended (D.C. Code, sec. 20-701), is amended by striking out "The United States attorney in and for the District of Columbia" and inserting in lieu thereof "The Corporation Counsel of the District of Columbia". Estates of absentees, etc. 49 Stat. 111; *Ante*, pp. 733, 785.

SEC. 11. Sections 5 through 8, inclusive, and section 10 shall take effect thirty days from the approval of this Act, but shall not in any case apply to proceedings instituted prior to the approval of this Act. Section 9 of this Act shall take effect on the first day of the first full license year for licensing of private detectives and detective agencies prescribed by section 7 of the Act approved July 1, 1902 (32 Stat. 622, ch. 1352), as amended (sec. 47-2301, et seq., D.C. Code), which begins at least ninety days after approval of this Act. Effective date. 47 Stat. 550.

Approved November 8, 1965.

Public Law 89-348

November 8, 1965
[S. 2150]

AN ACT

To discontinue or modify certain reporting requirements of law.

Government agencies.
Reporting requirements, elimination.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following reporting requirements, which relate to the submission of certain reports to Congress or other Government authority, are hereby repealed, as follows:

REPORTS UNDER EACH EXECUTIVE AGENCY

(1) The annual report to Congress of the administrative adjustment of tort claims of $2,500 or less, stating the name of each claimant, the amount claimed, the amount awarded, and a brief description of the claim (28 U.S.C. 2673).

62 Stat. 983.

REPORTS UNDER TWO OR MORE EXECUTIVE AGENCIES

(2) The semiannual report to the Congress of purchases and contracts with respect to experimental, developmental, or research work with the name of each contractor, the amount of the contract, and description of the work required (63 Stat. 393; 41 U.S.C. 252 (c)).

(3) The quarterly reports to Congress by the Department of the Treasury, Housing and Home Finance Agency, General Services Administration, and the annual report to the President and to Congress by the Small Business Administration of progress in liquidating the assets and winding up the affairs of the Reconstruction Finance Corporation as required by section 106(b) of the Reconstruction Finance Corporation Liquidation Act (67 Stat. 231; 15 U.S.C. 609, note), by Reorganization Plan No. 1 of 1957, and by Public Law 87-305, section 5(a) (75 Stat. 666; 15 U.S.C. 639(a)).

71 Stat. 647.
15 USC 601 note.

REPORTS UNDER THE DEPARTMENT OF AGRICULTURE

(4) The annual report to Congress of activities relating to the Puerto Rico hurricane relief loans (45 Stat. 1067; 70 Stat. 525).

(5) The report of the estimates of national farm housing needs and of progress made toward meeting such needs (63 Stat. 435; 42 U.S.C. 1476(b)).

75 Stat. 188.

REPORTS UNDER THE DEPARTMENT OF COMMERCE

(6) The quarterly report of contracts entered into, proposed contracts, and general progress with respect to aviation war risk insurance activities (72 Stat. 805; 49 U.S.C. 1539).

(7) The quarterly report of contracts entered into, proposed contracts, and general progress with respect to war risk insurance activities under the Merchant Marine Act, 1936 (64 Stat. 776; 46 U.S.C. 1291).

(8) The annual report of the names of contractors and subcontractors for scientific equipment used for communication and navigation and of the names of persons entering into contracts or other arrangements by the terms of which the United States undertakes to pay only for national-defense features, together with the applicable contracts and amounts (49 Stat. 1998; 46 U.S.C. 1155(b)).

52 Stat. 958.

(9) The annual report covering each case and the reasons therefor in which an exception is made to the prohibition against payment of an operating-differential subsidy for the operation of a vessel beyond its economic life (49 Stat. 2003; 46 U.S.C. 1175(b)).

66 Stat. 764.

REPORTS UNDER THE DEPARTMENT OF DEFENSE

(10) The annual report to Congress by the Secretary of the Navy of all vessels used for experimental purposes which have been stricken from the Naval Vessel Register (10 U.S.C. 7306(b)). 70A Stat. 452.

(11) The requirement that the Secretary of the Navy shall communicate to Congress all or a portion of the annual report submitted to the Secretary by the Naval Sea Cadet Corps with respect to its proceedings and activities (76 Stat. 534). 36 USC 1058.

(12) The requirement that the Secretary of Defense or the Secretary of the Treasury, as the case may be, shall report to the Committees on Armed Services of the Senate and House of Representatives the details of the proposed participation by members of the Armed Forces under his jurisdiction in international amateur sports competition (10 U.S.C. 717(b)). 72 Stat. 1442; 76 Stat. 508.

REPORTS UNDER THE DEPARTMENT OF THE INTERIOR

(13) The annual report to the appropriate committees of Congress on the use of the separate fund created for the promotion of the free flow of domestically produced fishery products (68 Stat. 376; 15 U.S.C. 713c-3(f)).

(14) The annual report to the Congress giving detailed information with respect to the establishment of fish restoration and management projects and expenditures therefor (64 Stat. 434; 16 U.S.C. 777j).

REPORTS UNDER THE DEPARTMENT OF LABOR

(15) The annual report of the Secretary of Labor to Congress of the administration of the Longshoremen's and Harbor Workers' Compensation Act including a detailed statement of receipts and expenditures from the funds established by the Act (44 Stat. 444; 33 U.S.C. 943). 44 Stat. 1444.

(16) The annual report to Congress by the Secretary of Labor of the work of the Bureau of Employees' Compensation including a detailed statement of appropriations and expenditures and a detailed statement showing receipts of and expenditures from the employees' compensation fund (39 Stat. 749; 5 U.S.C. 784).

REPORTS UNDER THE POST OFFICE DEPARTMENT

(17) The inclusion in the annual report of operations of the postal savings system of the names of post offices receiving deposits, the number of depositors in each and the amount on deposit (39 U.S.C. 5205). 74 Stat. 682.

(18) The inclusion in the annual report to the President by the Postmaster General of activities with respect to the Postal Modernization Fund (39 U.S.C. 2332).

REPORTS UNDER THE DEPARTMENT OF STATE

(19) The report to the Congress by the President with respect to operations under the Lend-Lease Act (55 Stat. 32; 22 U.S.C. 414(b)).

(20) The report to the Congress by the President not less than once each year on the activities of the International Atomic Energy Agency and on the participation of the United States therein (71 Stat. 453; 22 U.S.C. 2022).

(21) The annual report to Congress by the National Commission on Educational, Scientific, and Cultural Cooperation and the Secretary of State of the receipts and expenditures of funds and bequests

received and disbursed in connection with the United Nations Educational, Scientific, and Cultural Organization (72 Stat. 273; 22 U.S.C. 287q).

(22) The annual report by the Secretary of State to the Congress and to the President on the condition of the Foreign Service Retirement and Disability Fund and of estimates of appropriations necessary to continue the system in effect (60 Stat. 1024; 22 U.S.C. 1102).

REPORT UNDER THE DEPARTMENT OF TREASURY

(23) The annual report to Congress by the Secretary of the Treasury on the financial condition of the Postal Modernization Fund (39 U.S.C. 2234).

74 Stat. 598.

Reporting requirements, modification.

SEC. 2. The following reporting requirements, which relate to the submission of certain reports to Congress or other Government authority, are hereby modified as follows:

(1) From quarterly to annual submission to Congress by the Secretary of Commerce of a report with respect to all activities or transactions under the Merchant Ship Sales Act of 1946 (60 Stat. 50; 50 U.S.C. App. 1746).

(2) Beginning January 1, 1967, from semiannual to annual submission to the President and to Congress by the Secretary of Commerce of a report with respect to activities under the International Travel Act of 1961 (75 Stat. 130; 22 U.S.C. 2125).

(3) From quarterly to annual submission to Congress by the Secretary of the Air Force of a report of the number of officers in the executive part of the Department of the Air Force and the justification therefor (10 U.S.C. 8031(c)).

70A Stat. 490.

(4) From quarterly to semiannual submission to the Senate and the House of Representatives by the Secretary of Health, Education, and Welfare of a report with respect to personal property donations to State surplus property agencies and real property disposals to public health and educational institutions (66 Stat. 593; 40 U.S.C. 484(o)).

69 Stat. 84, 430.

(5) From semiannual submission through the President to annual submission to Congress by the Secretary of the Interior of a report of the operations of programs to stimulate exploration for minerals within the United States, its territories and possessions together with recommendations regarding the need for such programs (72 Stat. 701; 30 U.S.C. 645).

(6) Beginning January 1, 1967, from semiannual to annual submission to the Congress by the Foreign Claims Settlement Commission of the United States of a report concerning its operations under the War Claims Act of 1948 (62 Stat. 1246; 50 U.S.C. App. 2008).

(7) From semiannual to annual submission to the Congress by the Foreign Claims Settlement Commission of the United States of a report concerning its operations under the International Claims Settlement Act of 1949 (64 Stat. 13; 22 U.S.C. 1622(c)).

(8) From semiannual to annual submission to the Congress by the President of a report of each transaction entered into by any agency of the United States Government pursuant to section 302 or 303 of the Defense Production Act of 1950, as amended, together with the basis for determining the probable ultimate net cost to the United States thereunder (64 Stat. 789; 74 Stat. 282; 50 U.S.C. App. 2094 (b)).

65 Stat. 134.

(9) From semiannual to annual submission to the Congress by the Export-Import Bank of Washington of a report concerning its operations under the Export-Import Bank Act of 1945 (59 Stat. 529; 12 U.S.C. 635g).

(10) From quarterly to annual submission to the Congress by the Attorney General of a report concerning certain voluntary agreements and programs pursuant to section 708(e) of the Defense Production Act of 1950 (64 Stat. 818, as amended; 50 U.S.C. App. 2158). 75 Stat. 667.

(11) From quarterly to annual submission to the Congress by the Chairman of the United States Civil Service Commission of a report pursuant to section 710(b)(7) of the Defense Production Act of 1950 (64 Stat. 819, as amended; 50 U.S.C. App. 2160). 69 Stat. 583.

Approved November 8, 1965.

Public Law 89-349

AN ACT

November 8, 1965
[H. R. 227]

To amend title 38 of the United States Code to entitle the children of certain veterans who served in the Armed Forces prior to September 16, 1940, to benefit under the war orphans educational assistance program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 1701(a)(1) of title 38, United States Code, is amended to read as follows:

Veterans.
War orphans educational assistance.
72 Stat. 1193.

"The term 'eligible person' means a child of a person who—

"(A) died of a service-connected disability, or

"(B) has a total disability permanent in nature resulting from a service-connected disability, or who died while a disability so evaluated was in existence,

arising out of active military, naval, or air service after the beginning of the Spanish-American War and prior to the end of the induction period, but only if such service did not terminate under dishonorable conditions.

(b) Such section 1701(a)(1) is further amended by deleting the second sentence thereof. 78 Stat. 297.

(c) Paragraph 9 of such section 1701(a) is amended by deleting therefrom the following: "(A) the period beginning September 16, 1940, and ending December 6, 1941, and the period beginning January 1, 1947, and ending June 26, 1950, and (B)". "Induction period." 74 Stat. 1023.

(d) Section 1701(d) of such title 38 is amended by deleting "during the Spanish-American War, World War I, World War II, the Korean conflict, or the induction period," and inserting in lieu thereof: "after the beginning of the Spanish-American War and prior to the end of the induction period,".

SEC. 2. In the case of any individual who is an "eligible person" within the meaning of section 1701(a)(1) of title 38, United States Code, solely by virtue of the amendment made by this Act, and who is above the age of seventeen years and below the age of twenty-three years on the date of enactment of this Act, the period referred to in section 1712 of title 38, United States Code, shall not end with respect to such individual until the expiration of the five-year period which begins on the date of enactment of this Act. Eligibility period.

Approved November 8, 1965.

REORGANIZATION PLANS

REORGANIZATION PLANS

Reorganization Plan No. 1 of 1965

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 25, 1965, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.

Transmitted March 25, 1965. Effective May 25, 1965.

Ante, p. 135.

5 USC 133z note.

BUREAU OF CUSTOMS

SECTION 1. *Abolition of offices.* All offices in the Bureau of Customs of the Department of the Treasury of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise to which appointments are required to be made by the President, by and with the advice and consent of the Senate, are abolished. The foregoing provisions shall become effective with respect to each office abolished thereby at such time, not later than December 31, 1966, as the Secretary of the Treasury shall specify, but nothing herein shall empower the Secretary to increase the term of any office beyond that provided by law for such office or affect his authority under the first paragraph under the heading "TREASURY DEPARTMENT" appearing in the Act of March 2, 1895, c. 187, 28 Stat. 844 (5 U.S.C. 252), to retain in office, prior to December 31, 1966, those persons whose offices are to be terminated under this reorganization plan.

SEC. 2. *Transfer of functions.* There are transferred to the Secretary of the Treasury the functions, if any, that have been vested by statute in officers, agencies, or employees of the Bureau of Customs of the Department of the Treasury since the effective date of Reorganization Plan No. 26 of 1950 (64 Stat. 1280).

5 USC 133z-15 note.

SEC. 3. *Preservation of remedies.* The abolition of offices herein shall not prejudice any right to protest or to appeal to the United States Customs Court any action taken in the administration of the customs laws.

SEC. 4. *Incidental provisions.* Consonant with section 4 of the Reorganization Act of 1949, as amended, and this reorganization plan, the Secretary of the Treasury shall make such provisions as he shall deem necessary respecting (1) the transfer or other disposition of the records, property, personnel, and unexpended balances of appropriations, allocations, and other funds, available or to be made available, which are affected by a reorganization contained in this reorganization plan, and (2) the winding up of the affairs of any officer whose office is abolished by the provisions of this reorganization plan.

5 USC 133z-2.

Reorganization Plan No. 2 of 1965

Transmitted May 13, 1965. Effective July 13, 1965.
Ante, p. 135. 5 USC 133z note.

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 13, 1965, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION, DEPARTMENT OF COMMERCE

SECTION 1. *Transfer of functions.* All functions vested by law in the Weather Bureau, the Chief of the Weather Bureau, the Coast and Geodetic Survey, the Director of the Coast and Geodetic Survey, and any officer, employee, or organizational entity of that Bureau or Survey, and not heretofore transferred to the Secretary of Commerce, hereinafter referred to as the Secretary, are hereby transferred to the Secretary.

SEC. 2. *Abolitions.* (a) The offices of Director of the Coast and Geodetic Survey, Deputy Director of the Coast and Geodetic Survey, and Chief of the Weather Bureau are hereby abolished. The Secretary shall make such provisions as he shall deem to be necessary respecting the winding up of any outstanding affairs of the officers whose offices are abolished by the provisions of this section.

(b) The abolitions effected by the provision of subsection (a) of this section shall exclude the abolition of rights to which the present incumbents of the abolished offices would be entitled under law upon the termination of their appointments.

SEC. 3. *Environmental Science Services Administration.* (a) The Coast and Geodetic Survey and the Weather Bureau are hereby consolidated to form a new agency in the Department of Commerce which shall be known as the Environmental Science Services Administration, hereinafter referred to as the Administration.

(b) The Secretary shall from time to time establish such constituent organizational entities of the Administration, with such names, as he shall determine.

SEC. 4. *Officers of the Administration.* (a) There shall be at the head of the Administration the Administrator of the Environmental Science Services Administration, hereinafter referred to as the Administrator. The Administrator shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate now or hereafter prescribed by law for offices and positions of Level V of the Federal Executive Salary Schedule (78 Stat. 419). He shall perform such functions as the Secretary may from time to time direct.

5 USC 2211.

(b) (1) There shall be in the Administration a Deputy Administrator of the Environmental Science Services Administration, hereinafter referred to as the Deputy Administrator, who shall be appointed by the President by and with the advice and consent of the Senate, shall perform such functions as the Secretary may from time to time direct, and, unless he is compensated in pursuance of the provisions of paragraph (2), below, shall receive compensation in accordance with the Classification Act of 1949, as amended.

63 Stat. 954; *Ante*, p. 1111. 5 USC 1071 note.

(2) The office of Deputy Administrator may be filled at the discretion of the President by appointment (by and with the advice and consent of the Senate) from the active list of commissioned

officers of the Administration in which case the appointment shall create a vacancy on the active list and while holding the office of Deputy Administrator the officer shall have rank, pay and allowances not exceeding those of a Vice Admiral.

(c) The Deputy Administrator or such other official of the Department of Commerce as the Secretary shall from time to time designate shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

(d) At any one time, one principal constituent organizational entity of the Administration may, if the Secretary so elects, be headed by a commissioned officer of the Administration, who shall be designated by the Secretary. Such designation of an officer shall create a vacancy on the active list and while serving under this paragraph the officer shall have rank, pay and allowances not exceeding those of a Rear Admiral (upper half).

(e) Any commissioned officer of the Administration who has served as Deputy Administrator or has served in a rank above that of Captain as the head of a principal constituent organizational entity of the Administration, and is retired while so serving or is retired after the completion of such service while serving in a lower rank or grade, shall be retired with the rank, pay and allowances authorized by law for the highest grade and rank held by him; but any such officer, upon termination of his appointment in a rank above that of Captain, shall, unless appointed or assigned to some other position for which a higher rank or grade is provided, revert to the grade and number he would have occupied had he not served in a rank above that of Captain and such officer shall be an extra number in that grade.

SEC. 5. *Authority of the Secretary.* Nothing in this reorganization plan shall divest the Secretary of any function vested in him by law or by Reorganization Plan No. 5 of 1950 (64 Stat. 1263) or in any manner derogate from any authority of the Secretary thereunder.

5 USC 133z-15 note.

SEC. 6. *Personnel, property, records and funds.* (a) The personnel (including commissioned officers) employed in the Coast and Geodetic Survey, the personnel employed in the Weather Bureau, and the property and records held or used by the Weather Bureau or the Coast and Geodetic Survey shall be deemed to be transferred to the Administration.

(b) Unexpended balances of appropriations, allocations, and other funds available or to be made available in connection with functions now administered by the Weather Bureau or by the Coast and Geodetic Survey shall be available to the Administration hereunder in connection with those functions.

(c) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the foregoing provisions of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

SEC. 7. *Interim officers.* (a) The President may authorize any person who immediately prior to the effective date of this reorganization plan held a position in the executive branch of the Government to act as Administrator until the office of Administrator is for the first time filled pursuant to the provisions of this reorganization plan or by recess appointment, as the case may be.

(b) The President may similarly authorize any such person to act as Deputy Administrator.

(c) The President may authorize any person who serves in an acting capacity under the foregoing provisions of this section to receive the compensation attached to the office in respect to which he so serves. Such compensation, if authorized, shall be in lieu of, but not in addition to, other compensation from the United States to which such person may be entitled.

Reorganization Plan No. 3 of 1965

Transmitted May 27, 1965. Effective July 27, 1965.

Ante, p. 135. 5 USC 133z note.

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 27, 1965, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.

LOCOMOTIVE INSPECTION

SECTION 1. *Transfer of functions to Interstate Commerce Commission.* Except to the extent inconsistent with the provisions of section 2(b) hereof, all functions now vested in the director of locomotive inspection, assistant directors of locomotive inspection, and district inspectors of locomotives, including the functions so vested by the Act of February 17, 1911, ch. 103, 36 Stat. 913, as amended (45 U.S.C. 22–29; 30–34), and by section 2 of the Act of March 4, 1915, ch. 169, 38 Stat. 1192, as amended (45 U.S.C. 30), are hereby transferred to the Interstate Commerce Commission.

SEC. 2. *Abolitions.* (a) All offices of director of locomotive inspection, assistant director of locomotive inspection, and district inspector of locomotives, provided for in the Acts referred to above (45 U.S.C. 22–34), are hereby abolished. The Interstate Commerce Commission shall make such provisions as it deems to be necessary respecting the winding up of any outstanding affairs of the officers whose offices are abolished by the provisions of this reorganization plan.

(b) The functions with respect to dividing the territory comprising the several States and the District of Columbia into fifty locomotive boiler-inspection districts, vested in the director of locomotive inspection by section 4 of the above-mentioned Act of February 17, 1911 (45 U.S.C. 26), are hereby abolished.

SEC. 3. *Performance of functions.* The Interstate Commerce Commission may from time to time make such provisions as it shall deem appropriate authorizing the performance by any officer, employee, or organizational entity under the Commission of any function transferred to the Commission by the provisions of section 1 of this reorganization plan, but the Commission may not make any such provision which is in conflict with section 17(2) of the Interstate Commerce Act.

49 USC 17.

SEC. 4. *Records, property and funds.* (a) Consonant with section 4 of the Reorganization Act of 1949, as amended, and this reorganization plan, the Interstate Commerce Commission shall make such provisions as it shall deem necessary respecting the transfer or other disposition of the records and property which are affected by a reorganization contained in this reorganization plan.

5 USC 133z-2.

(b) Unexpended balances of appropriations, allocations, and other funds, available or to be made available for the Interstate Commerce Commission for expenses necessary to carry out locomotive inspection activities, shall continue to be available therefor under this reorganization plan.

(c) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the foregoing provisions of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

SEC. 5. *Personnel.* (a) The Interstate Commerce Commission may employ and compensate such personnel as may be necessary to carry out the functions transferred to the Commission by this reorganization plan under the classified civil service and pursuant to the Classification Act of 1949, as amended.

(b) The Interstate Commerce Commission shall appoint to a position under the classified civil service, without change in grade or salary, each person who immediately prior to the taking effect of this reorganization plan held the office of district inspector of locomotives. Such appointments shall be deemed to be made without any break in the service of any individual concerned and the provisions of this reorganization plan shall not be deemed to effect an involuntary separation of any district inspector of locomotives for the purposes of section 6(d) of the Civil Service Retirement Act (5 U.S.C. 2256(d)) or for the purposes of any other provision of law. 70 Stat. 749.

Reorganization Plan No. 4 of 1965

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 27, 1965, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.

Transmitted May 27, 1965. Effective July 27, 1965. *Ante*, p. 135. 5 USC 133z note.

ABOLITION OF CERTAIN COMMITTEES, COUNCILS, AND BOARDS

PART I

SECTION 1. *Transfer of functions.* All functions of each of the following-named bodies, together with all functions of the Chairman and of other officers of each thereof, are hereby transferred to the President of the United States:

(a) The National Housing Council, provided for in section 6 of Reorganization Plan No. 3 of 1947 (61 Stat. 955) as affected by (i) section 502(a) of the Housing Act of 1948 (62 Stat. 1283; 12 U.S.C. 1701c), (ii) section 603 of the Housing Act of 1949 (63 Stat. 440; 12 U.S.C. 1701i) and by (iii) section 615 of the Defense Housing and Community Facilities and Services Act of 1951 (65 Stat. 317; 12 U.S.C. 1701i-1). 5 USC 133z-15 note.

(b) The National Advisory Council on International Monetary and Financial Problems, provided for in section 4 of the Bretton Woods Agreements Act, 59 Stat. 512, as amended (22 U.S.C. 286b).

(c) The Board of the Foreign Service, provided for in section 211 of the Foreign Service Act of 1946, 60 Stat. 1001 (22 U.S.C. 826).

(d) The Board of Examiners for the Foreign Service, provided for in section 212 of the Foreign Service Act of 1946 (22 U.S.C. 827).

(e) The Civilian-Military Liaison Committee, provided for in section 204 of the National Aeronautics and Space Act of 1958, 72 Stat. 431, as amended (42 U.S.C. 2474).

49-850 O-66—86

SEC. 2. *Performance of transferred functions.* The President may from time to time make such provisions as he may deem appropriate authorizing the performance of the functions transferred by the provisions of section 1 of this reorganization plan by any other officers of the executive branch of the Government or by any agencies or employees of that branch.

SEC. 3. *Abolition of bodies.* (a) Each of the bodies referred to in paragraphs (a) to (e), inclusive, of section 1 of this reorganization plan is hereby abolished.

(b) The President shall make or cause to be made such provisions as may be necessary with respect to the winding up of any outstanding affairs of the bodies abolished by the provisions of section 3 of this reorganization plan.

PART II

SECTION 11. *Transfer of functions.* (a) There are hereby transferred to the Chairman of the United States Civil Service Commission all functions of the Advisory Council on Group Insurance, provided for in section 12(a) of the Federal Employees' Group Life Insurance Act of 1954, 68 Stat. 742 (5 U.S.C. 2101(a)).

(b) There are hereby transferred to the Administrator of the Small Business Administration all functions of the Loan Policy Board of the Small Business Administration, provided for in section 4(d) of the Small Business Act, 72 Stat. 385 (15 U.S.C. 633(d)).

(c) There are hereby transferred to the Secretary of the Interior all functions of the advisory board provided for in section 2(a) of the Act of August 20, 1937, 50 Stat. 732, as amended (16 U.S.C. 832a(a)), commonly referred to as the Bonneville Power Advisory Board.

(d) There are hereby transferred to the Attorney General all functions of the Awards Board provided for in section 3 of the Atomic Weapons Rewards Act of 1955, 69 Stat. 365 (50 U.S.C. 47b).

(e) The transfers made by subsections (a) to (d), inclusive, of this section shall be deemed to include all functions of the Chairman and of other officers of the respective transferor bodies referred to in those subsections.

SEC. 12. *Performance of transferred functions.* Each officer to whom functions are transferred by the provisions of section 11 of this reorganization plan may from time to time make such provisions as he may deem appropriate authorizing the performance of the functions so transferred to him by his subordinate officers, employees, or agencies.

SEC. 13. *Abolitions.* (a) Each of the bodies the functions of which are transferred by the provisions of section 11 of this reorganization plan is hereby abolished. Each officer to whom functions are transferred by those provisions shall make such provisions as may be necessary with respect to the winding up of any outstanding affairs of the body or bodies the functions of which are so transferred to him.

(b) The functions vested in the Secretary of Health, Education, and Welfare by the provisions of section 7(b) of the Juvenile Delinquency and Youth Offenses Control Act of 1961, 75 Stat. 574 (42 U.S.C. 2546(b)), are hereby abolished.

Reorganization Plan No. 5 of 1965

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 27, 1965, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.

Transmitted May 27, 1965. Effective July 27, 1965.

Ante, p. 135.

5 USC 133z note.

NATIONAL SCIENCE FOUNDATION

SECTION 1. *Abolition of committees.* There are hereby abolished all functions of the (divisional) committees provided for in section 8 of the National Science Foundation Act of 1950 (64 Stat. 152; 42 U.S.C. 1867), all functions with respect to the appointment of committees under that section, and all committees now existing under that section. The Director of the National Science Foundation shall make such provisions as he shall deem necessary respecting the winding up of any outstanding affairs of the committees abolished by this section.

SEC. 2. *Authority to delegate.* The Director of the National Science Foundation may from time to time make such provisions as he shall deem appropriate authorizing the performance by any other officer, or by any agency or employee, of the National Science Foundation of any of his functions (including functions delegated to him by the National Science Board).

PROPOSED AMENDMENT

TO THE

CONSTITUTION OF THE UNITED STATES

PROPOSED AMENDMENT

TO THE

CONSTITUTION OF THE UNITED STATES

EIGHTY-NINTH CONGRESS, FIRST SESSION

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office. S. J. Res. 1

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"SEC. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office."

JOHN W. MCCORMACK

Speaker of the House of Representatives.

HUBERT H. HUMPHREY

Vice President of the United States and President of the Senate.

I certify that this Joint Resolution originated in the Senate.

FELTON M. JOHNSTON

Secretary.

[Received by the Office of the Federal Register, NARS, General Services Administration, July 7, 1965]

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 203 accompanying H. J. Res. 1 (Comm. on the Judiciary) and No. 564 (Comm. of Conference).
SENATE REPORT No. 66 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 111 (1965):
Feb. 18: Considered in Senate.
Feb. 19: Considered and passed Senate.
Apr. 13: Considered and passed House, amended, in lieu of H. J. Res. 1.
June 30: House agreed to conference report; Senate considered conference report.
July 6: Senate agreed to conference report.

PRIVATE LAWS

PRIVATE LAWS

FIRST SESSION, EIGHTY-NINTH CONGRESS

Private Law 89-1

AN ACT

May 22, 1965
[H. R. 4338]

To authorize the Veterans of Foreign Wars of the United States to rent certain property in the District of Columbia for certain office purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Veterans of Foreign Wars of the United States are authorized, subject to the provisions of sections 2, 3, and 5 of the Act of December 24, 1942 (D.C. Code, sec. 47–801b, 801c, and 801e), to lease or rent for office purposes to any department, agency, or instrumentality of the United States or the District of Columbia or to any nonprofit organization any of the property exempt from taxation in the District of Columbia by the Act of July 19, 1954, as amended (D.C. Code, sec. 47–832).

Veterans of Foreign Wars.

56 Stat. 1091.

68 Stat. 493.

Approved May 22, 1965.

Private Law 89-2

AN ACT

June 2, 1965
[H. R. 1870]

For the relief of Edward G. Morhauser.

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 Frank J. Borrelli the sum of $6,000 in full settlement of all claims against the United States and against Edward G. Morhauser arising out of an accident which occurred when said Edward G. Morhauser 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 Edward G. Morhauser in civil action numbered 994–61 in the United States District Court for the District of New Jersey on July 30, 1962, 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.

Edward G. Morhauser.

Approved June 2, 1965.

Private Law 89-3

June 2, 1965
[H. R. 2354]

AN ACT

For the relief of William L. Chatelain, United States Navy, retired.

William L. Chatelain, USN.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William L. Chatelain, of Philadelphia, Pennsylvania, is relieved of liability to the United States in the amount of $6,134.32, representing an overpayment of disability retired pay for the period from May 1, 1954, to April 30, 1963, inclusive, by the United States Navy through an administrative error on the part of the United States Navy Finance Center, Retired Pay Department, Cleveland, Ohio. 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 L. Chatelain, United States Navy, retired, 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: *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 June 2, 1965.

Private Law 89-4

June 5, 1965
[H. R. 1453]

AN ACT

For the relief of the Jefferson Construction Company.

Jefferson Construction Co.

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, the sum of $110,000 to the Jefferson Construction Company, a Massachusetts corporation, which amount was fixed by the United States Court of Claims in its decision in congressional case numbered 1-62, decided December 11, 1964, as the sum due that company in full settlement of its claims against the United States for compensation for extra work completed at the direction of the Government incident to the performance of contract numbered DA-19-016-ENG-5926, dated May 31, 1958, for the construction of 488 family housing units, site work and utilities at Otis Air Force Base, Falmouth, Massachusetts. 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 June 5, 1965.

Private Law 89-5

AN ACT

For the relief of C. R. Sheaffer and Sons.

June 5, 1965
[H. R. 3899]

C. R. Sheaffer & Sons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Housing and Home Finance Administrator is authorized and directed to increase the relocation grant otherwise payable in connection with the District of Columbia "Southwest C" urban renewal project (D.C. R-1) by $3,000; and the District of Columbia Redevelopment Land Agency is authorized and directed to pay to C. R. Sheaffer and Sons of the District of Columbia, the sum of $3,000. The payment of such sum shall be in full settlement of all claims of the said C. R. Sheaffer and Sons against the United States for expenses and losses incurred by the said C. R. Sheaffer and Sons in vacating business premises at the municipal fish wharves in the District of Columbia at the direction of the Board of Commissioners of the District of Columbia. 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 June 5, 1965.

Private Law 89-6

AN ACT

For the relief of Mrs. Mauricia Reyes.

June 7, 1965
[H. R. 2139]

Mauricia Reyes.

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, bars of laches or lapse of time, jurisdiction is hereby conferred upon the United States District Court for the Western District of Texas to hear, determine, and render judgment upon the claim of Mauricia Reyes for compensation for the injuries sustained by her alleged to have been caused by the improper administration of a spinal anesthetic at the station hospital at Lackland Air Force Base, on December 14, 1948, and of a caudal anesthetic at Brooks Army Hospital, Fort Sam Houston, Texas, on November 23, 1949, and on November 29, 1949.

SEC. 2. Suit upon any such claim may be instituted at any time within one year after the date of the enactment of this Act. Proceedings for the determination of such claim and review thereof, and payment of any judgment thereon, shall be in accordance with the provisions of law applicable to cases over which the court has jurisdiction under section 1346(b) of title 28 of the United States Code. Nothing in this Act shall be construed as an inference of liability on the part of the United States.

63 Stat. 62.

Approved June 7, 1965.

Private Law 89-7

June 14, 1965
[H. R. 2299]

AN ACT

For the relief of Robert L. Yates and others.

Robert L. Yates and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the employees or former employees of the Department of Defense in the Messenger Service Branch, Brookley Air Force Base, Alabama, named in this section are respectively relieved of liability to the United States for certain overpayments of salary made to them as a result of administrative error during the period from May 29, 1960, through December 2, 1961. The net amounts of such overpayments (exclusive of payroll deductions for civil service retirement and Government service life insurance) were as follows:

Robert L. Yates, $675.07;
Edmond E. Skidmore, $796.86;
Prester L. Simmons, $676.75;
Sidney Sawyer, $675.07;
Joe Davis, Junior, $764.83;
Eugene C. Fortune, Junior, $677.45;
Ludy Anderson, $678.77;
James F. Copeland, $675.07;
Clarence A. Baker, $659.49; and
Samuel G. Crawford, $271.63.

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 each person named in the first section, 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: *Provided*, That no part of the amount appropriated in this Act 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 Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved June 14, 1965.

Private Law 89-8

June 14, 1965
[H. R. 3051]

AN ACT

For the relief of Vermont Maple Orchards, Incorporated, Burlington, Vermont.

Vermont Maple Orchards, Inc.

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 be, and hereby is, authorized and directed to settle and adjust the claim of the Vermont Maple Orchards, Incorporated, Burlington, Vermont, arising out of participation in the Saint Eriks Fair, Stockholm, Sweden, during the summer of 1963. An amount not to exceed $2,671.21 may be allowed in full and final settlement of the claim. There is appropriated out of any money in the Treasury not otherwise appropriated the sum of $2,671.21 for payment of said claim: *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 June 14, 1965.

Private Law 89-9

AN ACT

For the relief of Maxie L. Stevens.

June 14, 1965
[H. R. 3074]

Maxie L. Stevens.

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 amount of $1,519.54 to Maxie L. Stevens, 1521 S. Missouri Avenue, Clearwater, Florida, in full settlement of his claims for medical expenses and transportation associated with medical treatment related to his employment by the United States Weather Bureau, Department of Commerce, from December 20, 1947, to April 12, 1948, and for further amounts withheld from amounts otherwise due him and applied on indebtedness which was ultimately held not to be due by the United States District Court of the Southern District of Florida on January 15, 1959, in Civil Case No. 2784. 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 June 14, 1965.

Private Law 89-10

AN ACT

For the relief of the estate of R. M. Clark.

June 24, 1965
[S. 856]

R. M. Clark 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, to the estate of R. M. Clark, the sum of $39,567.67, representing the amount reported by the United States Court of Claims to the Congress in response to S. Res. 344, Eighty-fifth Congress (congressional number 10–58, decided July 17, 1964). The payment of such sum shall be in full satisfaction of the claim of the estate of the late R. M. Clark (an individual formerly doing business as Lenoir City Alcoa Bus Lines) against the United States for losses sustained as a result of the operation by the said R. M. Clark of motor buses for the necessary transportation of nonresident employees of the Clinton Engineer Works, between points in or about Lenoir City, Tennessee, and the Clinton Engineer Works reservation (subsequently the Atomic Energy Commission installation) at Oak Ridge, Tennessee: *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 June 24, 1965.

Private Law 89-11

July 16, 1965
[H. R. 1236]

AN ACT

For the relief of Salvador Munoz-Tostado.

Salvador Munoz-Tostado.

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 paragraph (23) of section 212(a) of the Immigration and Nationality Act, Salvador Munoz-Tostado 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 July 16, 1965.

Private Law 89-12

July 16, 1965
[H. R. 1306]

AN ACT

For the relief of Loretta Negrin.

Loretta Negrin.

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, Loretta Negrin may be classified as an eligible orphan 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. David Cohen, citizens of the United States, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved July 16, 1965.

Private Law 89-13

July 16, 1965
[H. R. 3634]

AN ACT

For the relief of Chief Warrant Officer Edward E. Kreiss.

CWO Edward E. Kreiss.

28 Stat. 205.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chief Warrant Officer Edward E. Kreiss, United States Navy, retired, is relieved of any liability under the Act of July 31, 1894 (5 U.S.C. 62), to pay to the United States all amounts received by him as a civilian employee of the Department of the Army from May 1, 1959, through December 14, 1962. In 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 authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Chief Warrant Officer Edward E. Kreiss an amount equal to the aggregate of the amounts paid by him, or withheld from sums other-

wise due him, in complete or partial satisfaction of the liability to the United States specified in the first section and, notwithstanding the provisions of the Act of July 31, 1894 (5 U.S.C. 62), said amount shall include any compensation due him for the period December 1, 1962, through December 14, 1962, and lump-sum leave payments based upon the period of civilian employment referred to in this Act.

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 July 16, 1965.

Private Law 89-14

AN ACT

For the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel.

July 21, 1965
[H. R. 3638]

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, (1) to Robert O. Overton, the sum of $1,500; (2) to Marjorie C. Overton, the sum of $5,000; and (3) to Sally Eitel, the sum of $10,000, in full satisfaction of their claims against the United States arising out of an incident occurring on December 25, 1946, in Indianapolis, Indiana, involving a vehicle of the Army Air Corps for which suit may not be instituted under the tort claims procedure as provided in title 28, United States Code: *Provided*, That no part of the amount appropriated in this Act for the payment of any one claim 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 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.

Robert O. and Marjorie C. Overton, and Sally Eitel.

62 Stat. 982.
28 USC 2671-2680.

Approved July 21, 1965.

Private Law 89-15

AN ACT

For the relief of Denise Hojebane Barrood.

July 24, 1965
[S. 571]

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, Denise Hojebane Barrood may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Denise Hojebane Barrood by Mr. and Mrs. Abraham Barrood, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

Denise H. Barrood.

Ante, p. 917.
8 USC 1101.

Ante, p. 916.
8 USC 1155.

Approved July 24, 1965.

Private Law 89-16

July 28, 1965
[H. R. 3625]

AN ACT

For the relief of Alfred Estrada.

Alfred Estrada.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of title III of the Immigration and Nationality Act, Alfred Estrada shall be held and considered to have complied with the residence and physical presence requirements of section 316 of the said Act.

66 Stat. 242.
8 USC 1427.

Approved July 28, 1965.

Private Law 89-17

July 30, 1965
[H. R. 1217]

AN ACT

For relief of Captain Paul W. Oberdorfer.

Capt. Paul W. Oberdorfer.

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 Captain Paul W. Oberdorfer, United States Air Force, AO3123527, the sum of $130.63. The payment of such sum shall be in full settlement of all claims of the said Captain Paul W. Oberdorfer against the United States for the cost of transporting his wife from New Orleans, Louisiana, to San Francisco, California, which was undertaken by the said Captain Oberdorfer in reliance on erroneous information given to him by United States Air Force personnel. 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 30, 1965.

Private Law 89-18

July 30, 1965
[H. R. 1374]

AN ACT

For the relief of Chief Warrant Officer Elden R. Comer.

CWO Elden R. Comer.

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 Elden R. Comer, Route 3, Box 22, Orland, California, the sum of $1,680.62 in full settlement of the claim of the said Elden R. Comer against the United States. A claim was timely executed by the claimant under date of March 28, 1955, as prepared by the Navy Finance Center, Cleveland, Ohio, but there is no record of any Government action thereon. A subsequent claim was filed October 18, 1962, and payment was made for all amounts not barred by the statute of limitations. The above referred principal amount is for the balance of retired pay owing for the barred period August 1946 to October 1952. 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 30, 1965.

Private Law 89-19

July 30, 1965
[H. R. 1487]

AN ACT

For the relief of Major Kenneth F. Coykendall, United States Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Major Kenneth F. Coykendall, United States Army, is hereby relieved of all liability for repayment to the United States of the amount of $752.38 representing over-payments of active duty pay as a member of the United States Army in the years 1949 through 1962, which he received as a result of erroneous credit of service for longevity pay purposes.

Maj. Kenneth F. Coykendall.

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 Major Kenneth F. Coykendall, the sum of any amount received or withheld from him on account of the payments referred to in the first section of this bill.

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 30, 1965.

Private Law 89-20

July 30, 1965
[H. R. 1889]

AN ACT

For the relief of Albert Marks.

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)(3) of the Immigration and Nationality Act, Albert Marks 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: *Provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said Act.

Albert Marks.

66 Stat. 182.
8 USC 1182.

Approved July 30, 1965.

Private Law 89-21

July 30, 1965
[H. R. 2881]

AN ACT

For the relief of George A. Grabert.

George A. Grabert.

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 A. Grabert of Mount Vernon, Indiana, the sum of $277.26, in full settlement of his claims against the United States for refund of amounts required to be paid by him to the United States on account of salary overpayments resulting from longevity promotions being granted on incorrect dates in connection with his employment with the United States Post Office Department during the period beginning July 1, 1950, and ending November 16, 1956, both dates inclusive: *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 July 30, 1965.

Private Law 89-22

July 30, 1965
[H. R. 2913]

AN ACT

For the relief of Lieutenant Thomas A. Farrell, United States Navy, and others.

Lt. Thomas A. Farrell and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the hereinafter named persons are hereby relieved of all liability to repay to the United States the amount listed opposite their names or such lesser amounts as may be outstanding on the date of enactment of this Act. Such amounts represent erroneous payments, through no fault of the payees, of temporary lodging allowances and overseas housing allowances incident to the change of permanent duty station of Patrol Squadron 4, United States Navy, from Naha, Okinawa, to Barbers Point, Hawaii, effective November 15, 1963:

Lieutenant Thomas A. Farrell, United States Navy, Medical Corps, $1,350;

Lieutenant James D. Guyle, United States Navy, $1,125;

Lieutenant Kenneth I. Bergstrom, United States Navy, $378;

Lieutenant William R. Broadwell, United States Navy, $292.50;

Lieutenant Commander Thomas R. Cate, United States Navy, $1,080;

Lieutenant (junior grade) Robert J. Danaher, United States Navy, $90;

Lieutenant Richard E. Dupree, United States Navy, $315;

Lieutenant Larry Hebert, United States Navy, $378;

Lieutenant Commander William E. Heyl, United States Navy, $711.10;

Lieutenant Donald C. Klein, United States Navy, $1,620;

Lieutenant Commander Henry P. Krienke, United States Navy, $945;

Lieutenant (junior grade) Vincent K. Olstad, United States Naval Reserve, $126;

Lieutenant (junior grade) Daniel L. Rush, United States Navy, $648;

Lieutenant William W. Turkington, United States Navy, $351;

Lieutenant Gary L. Wachter, United States Navy, $961.60;

Lieutenant Daniel D. Weber, United States Navy, $202.50;

Lieutenant Commander Robert Wunderlich, United States Navy, $1,485.

SEC. 2. In the audit and settlement of the accounts of all certifying and disbursing officers of the United States, full credit shall be given for all amounts for which liability is relieved by this Act.

SEC. 3. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to any person named in the first section of this Act, 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: *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 July 30, 1965.

Private Law 89-23

AN ACT

For the relief of Foster Masahiko Gushard.

August 2, 1965
[H. R. 1314]

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, Foster Masahiko Gushard may be classified as an eligible orphan 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. LaVerne Norman Gushard, citizens of the United States, pursuant to section 205(b) of the Act, subject to all conditions in that section relating to eligible orphans.

Foster M. Gushard.

Ante, p. 917.
8 USC 1101.

Ante, p. 916.
8 USC 1155.

Approved August 2, 1965.

Private Law 89-24

AN ACT

For the relief of Mrs. Ana Cristina Rainforth.

August 2, 1965
[H. R. 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 the Immigration and Nationality Act, Mrs. Ana Cristina Rainforth, the widow of Robert Ray Rainforth, a citizen of the United States, shall be held and considered to be within the purview of section 101(a)(27)(A) of that Act and the provisions of section 205 of the said Act shall not be applicable in this case.

Ana C. Rainforth.

Ante, p. 916.
8 USC 1101-1155.

Approved August 2, 1965.

Private Law 89-25

August 3, 1965
[H. R. 70]

AN ACT

To provide for the conveyance of approximately 80 acres of land to the heirs of Adam Jones, Creek Indian not enrolled.

Adam Jones heirs.
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 is authorized and directed to convey in fee simple all of the right, title, and interest of the United States and of the Creek Tribe of Indians of Oklahoma in and to land described as the south half northwest quarter section 5, township 10 north, range 15 east, Indian meridian, Oklahoma, containing 80 acres, more or less, to the heirs of Adam Jones, Creek Indian not enrolled, in the proportions as determined by the county court of McIntosh County, Oklahoma, case numbered 5375, as follows:

Hattie Jones (wife), an undivided one-third interest; and Bobby R. Jones (son), Tommy Leon Jones (son), Carrie Lee Jones (daughter), Adam Jones, Junior (son), and Marietta Elciea Jones (granddaughter), each an undivided two-fifteenths interest.

Approved August 3, 1965.

Private Law 89-26

August 3, 1965
[H. R. 1987]

AN ACT

For the relief of Nabhane M. Nickley (Nabhane M. Karam).

Nabhane M. Nickley.

Ante, pp. 912, 916.
8 USC 1153, 1155.

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 205 of the Immigration and Nationality Act, Nabhane M. Nickley (Nabhane M. Karam) shall be held and considered to be the natural-born alien son of Mr. and Mrs. Elias Nickley, citizens of the United States: *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved August 3, 1965.

Private Law 89-27

August 3, 1965
[H. R. 2012]

AN ACT

For the relief of Doctor Ignace D. Liu.

Dr. Ignace D. Liu.

8 USC 1153 notes.

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 laws, Doctor Ignace D. Liu shall be deemed to be within the purview of section 2 of the Act of October 24, 1962 (76 Stat. 1247).

Approved August 3, 1965.

Private Law 89-28

AN ACT

For the relief of Remedios Ocampo.

August 3, 1965
[H. R. 2499]

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, Remedios Ocampo may be classified as an eligible orphan 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. Eustaquio Ocampo, a citizen and lawfully resident alien of the United States, respectively, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

Remedios Ocampo.

Ante, p. 917.
8 USC 1101.

Ante, p. 916.
8 USC 1155.

Approved August 3, 1965.

Private Law 89-29

AN ACT

For the relief of Mrs. Phoebe Thompson Neesham.

August 3, 1965
[H. R. 4131]

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 301(a)(7) of the Immigration and Nationality Act, Mrs. Phoebe Thompson Neesham shall be held and considered to have been physically present in the United States for a period of five years after attaining the age of fourteen years.

Phoebe Thompson Neesham.
66 Stat. 236.
8 USC 1401.

Approved August 3, 1965.

Private Law 89-30

AN ACT

To restore to the heirs of the Indian grantor certain tribal land of the Iowa Tribe of Oklahoma.

August 3, 1965
[H. R. 9041]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the Iowa Tribe of Oklahoma in and to land described as the northeast quarter northeast quarter northeast quarter southeast quarter section 15, township 17 north, range 3 east, Indian meridian, Oklahoma, containing 2.50 acres, more or less, a part of the original trust allotment of Hy-gro-ahr-chey, deceased Iowa allottee numbered 28, heretofore donated by Jack Small Lincoln, a tribal member, to the tribe for community building purposes and no longer used for such purposes, is hereby declared to be held by the United States of America in trust for the heirs of the original grantor as follows:

Iowa Tribe of Oklahoma.

Kate Murray (Lincoln), an undivided three-ninths interest; and Lydia May Lincoln, Abraham Lincoln, Charles Walter Lincoln, Alice Louise Lincoln, Will Rogers Lincoln, and Mary Lucille Lincoln, each an undivided one-ninth interest.

Approved August 3, 1965.

Private Law 89-31

August 4, 1965
[H. R. 1989]

AN ACT

For the relief of Krystyna Stella Hancock.

Krystyna S. Hancock.

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, Krystyna Stella Hancock may be classified as an eligible orphan 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. Charles E. Hancock, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

Ante, p. 916.
8 USC 1155.

Approved August 4, 1965.

Private Law 89-32

August 4, 1965
[H. R. 2351]

AN ACT

For the relief of Teresita Centeno Valdez.

Teresita Centeno Valdez.

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, Teresita Centeno Valdez may be classified as an eligible orphan 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. Ildefonso Salvacion Valdez, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, 917.
8 USC 1101.

8 USC 1155.

Approved August 4, 1965.

Private Law 89-33

August 4, 1965
[H. R. 2360]

AN ACT

For the relief of Doctor Antonio R. Perez.

Dr. Antonio Perez.

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 Perez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 4, 1956.

66 Stat. 163.
8 USC 1101 note.

Approved August 4, 1965.

Private Law 89-34

August 13, 1965
[S. 1008]

AN ACT

For the relief of Ottilia Bruegmann James.

Ottilia Bruegmann James.

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 7(b) of the Civil Service Retirement Act (5 U.S.C. 2257(b)) is hereby waived in favor of Ottilia Bruegmann James, a former employee of the Department of the Army, 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 applica-

70 Stat. 750.

tion 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.

SEC. 2. 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 August 13, 1965.

Private Law 89-35

AN ACT

For the relief of Lee Hi Sook.

August 24, 1965
[S. 678]

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 Hi Sook may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Lee Hi Sook by Captain and Mrs. John H. Duval, Junior, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

Lee Hi Sook.

Ante, p. 917.
8 USC 1101.

Ante, p. 916.
8 USC 1155.

Approved August 24, 1965.

Private Law 89-36

AN ACT

For the relief of Major Raymond G. Clark, Junior.

August 28, 1965
[S. 45]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Major Raymond G. Clark, Junior, United States Army, is hereby relieved of all liability for repayment to the United States of the sum of $1,285.23, representing the amount of overpayments of longevity pay which the said Major Raymond G. Clark, Junior, received for the period from May 19, 1950, through June 30, 1963, while serving as a member of the United States Army, such overpayments having been made to the said Major Raymond G. Clark, Junior, as a result of his being erroneously credited, for pay purposes, with service for certain periods during which he was enrolled as a temporary member of the United States Coast Guard Reserve. 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 amounts for which liability is relieved by this Act.

Maj. Raymond G. Clark, Jr.

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 Major Raymond G. Clark, 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 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 August 28, 1965.

Private Law 89-37

August 28, 1965
[S. 125]

AN ACT

For the relief of Armando S. Arguilles.

Armando S. Arguilles.
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, Armando S. Arguilles 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 August 28, 1965.

Private Law 89-38

August 28, 1965
[S. 207]

AN ACT

For the relief of Doctor Jose S. Lastra.

Dr. Jose S. Lastra.
66 Stat. 235.
8 USC 1401 *et seq.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Jose S. Lastra 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 his residence and physical presence within the United States since October 30, 1961.

Approved August 28, 1965.

Private Law 89-39

August 28, 1965
[S. 263]

AN ACT

For the relief of Honorata A. Vda de Narra.

Honorata A. Vda de Narra.

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 Veterans' Affairs is authorized and directed (1) to accept any application filed within one year after the date of enactment of this Act by Honorata A. Vda de Narra of the Republic of the Philippines for the payment of insurance benefits previously authorized under section 602(d) of the National Service Life Insurance Act of 1940 (now repealed), and (2) to pay to the said Honorata A. Vda de Narra any insurance benefits the Administrator determines would have been payable to her under such section had she made application for such benefits within the time period prescribed by section 602(d)(5) of such Act, the said Honorata A. Vda de Narra not having been officially notified by the Department of the Army until January 29, 1958, of the death of her son, Florentino A. Narra, who died on March 1, 1942, while serving in the Armed Forces of the United States.

54 Stat. 1009.

Approved August 28, 1965.

Private Law 89-40

AN ACT

For the relief of Carleen Coen.

August 28, 1965
[S. 442]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of subsection 301(a) of the Immigration and Nationality Act, Carleen Coen shall be deemed and considered to have been the daughter of an American citizen, the late Michael G. H. McPharlin, at the time of her birth.

Carleen Coen.
66 Stat. 235.
8 USC 1401.

Approved August 28, 1965.

Private Law 89-41

AN ACT

For the relief of Frank S. Chow.

August 28, 1965
[S. 570]

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, Mr. Frank S. Chow shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 12, 1956.

Frank S. Chow.
66 Stat. 163.
8 USC 1101 note.

Approved August 28, 1965.

Private Law 89-42

AN ACT

For the relief of Aleksandr Kaznacheev.

August 28, 1965
[S. 582]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Aleksandr Kaznacheev, lawfully admitted for permanent residence in the United States on August 16, 1959, shall be held to be included in the class of applicants for naturalization exempted from the provisions of section 313(a) of the Immigration and Nationality Act, as such class is specified in section 313(c) of the said Act.

Aleksandr Kaznacheev.

66 Stat. 240.
8 USC 1424.

Approved August 28, 1965.

Private Law 89-43

AN ACT

For the relief of Miss Choun Seem Kim.

August 28, 1965
[S. 616]

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, Choun Seem Kim may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Choun Seem Kim by Mr. and Mrs. Dennis J. Sherman, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Choun Seem Kim.

Ante, p. 917.
8 USC 1101.

Ante, p. 916.
8 USC 1155.

Approved August 28, 1965.

Private Law 89-44

August 28, 1965
[S. 826]

AN ACT

For the relief of Har Gobind Khorana.

Har Gobind Khorana.
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, Har Gobind Khorana shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 23, 1960.

Approved August 28, 1965.

Private Law 89-45

August 28, 1965
[S. 916]

AN ACT

For the relief of Debra Lynne Sanders.

Debra L. Sanders.

Ante, p. 919.
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 paragraph (1) of section 212(a) of the Immigration and Nationality Act, Debra Lynne Sanders may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided*, That if the said Debra Lynne Sanders is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This section shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

72 Stat. 1445.
10 USC 1071.

66 Stat. 188.
8 USC 1183.

Approved August 28, 1965.

Private Law 89-46

August 28, 1965
[S. 954]

AN ACT

For the relief of Ailsa Alexandra MacIntyre.

Ailsa A. MacIntyre.

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, Ailsa Alexandra MacIntyre, the fiancée of William Bruce Baird, 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 Ailsa Alexandra MacIntyre is coming to the United States with a bona fide intention of being married to the said William Bruce Baird and that she is found otherwise admissible under the immigration laws, except that the provisions of section 212(a)(4) of the Immigration and Nationality Act shall not be applicable to the said Ailsa Alexandra MacIntyre: *Provided further*, 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. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Ailsa Alexandra MacIntyre, 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

66 Stat. 182.
8 USC 1182.

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 Ailsa Alexandra MacIntyre, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ailsa Alexandra MacIntyre as of the date of the payment by her of the required visa fee.

8 USC 1252, 1253.

Approved August 28, 1965.

Private Law 89-47

AN ACT

For the relief of Kathryn Choi Ast.

August 28, 1965
[S. 1103]

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, Kathryn Choi Ast may be classified as an eligible orphan 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. Donald Roy Ast, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Kathryn Choi Ast.

Ante, p. 917.
8 USC 1101.

Ante, p. 916.
8 USC 1155.

Approved August 28, 1965.

Private Law 89-48

AN ACT

For the relief of Nikolai Artamonov.

August 28, 1965
[S. 1498]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Nikolai Artamonov, lawfully admitted for permanent residence in the United States on August 22, 1959, shall be held to be included in the class of applicants for naturalization exempted from the provisions of section 313(a) of the Immigration and Nationality Act as such class is specified in section 313(c) of the said Act.

Nikolai Artamonov.

66 Stat. 240.
8 USC 1424.

Approved August 28, 1965.

Private Law 89-49

AN ACT

For the relief of Lewis H. Nelson III.

August 28, 1965
[H. R. 4024]

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 be, and he hereby is, authorized and directed to settle the claim of Lewis H. Nelson III, 48 Anderegg Drive, Rome, New York, for compensation for services rendered the Department of the Air Force, Griffiss Air Force Base, subsequent to the termination of his term of appointment on August 17, 1963, after having been erroneously informed that such appointment had been extended. There is hereby appropriated the sum of $255.33 in full

Lewis H. Nelson III.

and final settlement of said claim from which there shall be deducted and properly deposited Federal withholding tax $34.99, Federal Insurance Contributions Act $17.86, and State tax $2.90, leaving a balance of $199.58 to be paid to the claimant.

68A Stat. 415, 75 Stat. 141. 26 USC 3101 *et seq.*

Approved August 28, 1965.

Private Law 89-50

August 28, 1965 [H. R. 4025]

AN ACT

For the relief of Terence J. O'Donnell, Thomas P. Wilcox, and Clifford M. Springberg.

Terence J. O'Donnell, 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 Terence J. O'Donnell, the sum of $435.83; to Thomas P. Wilcox, the sum of $3,138.20; and to Clifford M. Springberg, the sum of $1,144.52. The payment of such sums shall be in full settlement of all claims of the said Terence J. O'Donnell, Thomas P. Wilcox, and Clifford M. Springberg against the United States growing out of the fire of May 30, 1962, at Skwentna, Alaska, which destroyed the Government-owned quarters inhabited by Mr. Wilcox and his family and temporarily inhabited by Messrs. O'Donnell and Springberg: *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 August 28, 1965.

Private Law 89-51

August 28, 1965 [H. R. 5819]

AN ACT

For the relief of John Henry Taylor.

John Henry Taylor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Henry Taylor, of Columbus, Georgia, is relieved of liability to pay to the United States the sum of $923.51, representing the amount of salary overpayment received by him from the Post Office Department in the periods of January 1, 1953, through November 30, 1957, and January 11, 1958, through September 15, 1962, due to administrative error in the certification of service for longevity credit 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.

SEC. 2. The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to John Henry Taylor, of Columbus, Georgia, the sum certified to him by the Postmaster General as the aggregate of amounts paid to the United States by John Henry Taylor 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 August 28, 1965.

Private Law 89-52

AN ACT

For the relief of the children of Mrs. Elizabeth A. Dombrowski.

August 31, 1965
[H. R. 1291]

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 each child of Mrs. Elizabeth A. Dombrowski, of Parma, Ohio, widow of Victor E. Dombrowski, of Parma, Ohio, the amount which the Administrator of Veterans' Affairs certifies to him would have been payable to each such child under section 542 of title 38 of the United States Code for the period from July 1, 1960, to the date which each such child actually began receiving a pension under such section: *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.

Mrs. Elizabeth A. Dombrowski.

73 Stat. 435, 78 Stat. 1095.

Approved August 31, 1965.

Private Law 89-53

AN ACT

For the relief of Mrs. Genevieve Olsen.

September 1, 1965
[S. 69]

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. Genevieve Olsen, of Ogden, Utah, the sum of $3,375, in full settlement of all her claims against the United States for compensation for personal injuries resulting in permanent partial disability which were sustained by the said Chester J. Olsen on October 10, 1953, while he was performing duties as an employee of the Forest Service of the United States Department of Agriculture: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by an 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.

Genevieve Olsen.

Approved September 1, 1965.

Private Law 89-54

September 1, 1965
[S. 97]

AN ACT

For the relief of Lieutenant Raymond E. Berube, Junior.

Lt. Raymond E. Berube, Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant Raymond E. Berube, Junior, United States Navy, is hereby relieved of all liability for repayment to the United States of the sum of $797.27, representing the amount of overpayments of basic pay received by the said Lieutenant Raymond E. Berube, Junior, for the period July 1, 1960, through June 30, 1964, such overpayments having been made as a result of his having been erroneously credited for pay purposes with military service previously performed as a midshipman in the Reserve Officers' Training Corps. 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 Lieutenant Raymond E. Berube, 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 September 1, 1965.

Private Law 89-55

September 1, 1965
[S. 134]

AN ACT

For the relief of Lloyd K. Hirota.

Lloyd K. Hirota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lloyd K. Hirota of Aiea, Hawaii, is hereby relieved of all liability for repayment to the United States of the sum of $782.93, representing overpayments of salary which he received as a civilian employee of the United States Army, Office of the Quartermaster, at Honolulu, Hawaii, for the period from October 10, 1954, through June 16, 1962, such overpayments having been made as the result of administrative error in establishing his salary rate when he was erroneously promoted from grade GS–3y to grade GS–4x, effective as of October 10, 1954. 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 Lloyd K. Hirota, 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 1, 1965.

Private Law 89-56

September 1, 1965
[S. 572]

AN ACT

For the relief of Robert L. Wolverton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Robert L. Wolverton, of Fenton, Missouri, is hereby relieved of all liability for repayment to the United States of the sum of $1,260.23, representing overpayments of salary which he received as a civilian employee of the United States Army, Corps of Engineers, St. Louis District, Missouri, for the period from September 24, 1962, through October 6, 1963, such overpayments having been made as a result of administrative error in establishing his salary rate at the maximum scheduled rate of the grade to which he was appointed, in violation of section 801 of the Act of October 28, 1949 (5 U.S.C. 1131), which provides that all new appointments shall be made at the minimum rate of the appropriate grade. 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.

Robert L. Wolverton.

78 Stat. 401.

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 Robert L. Wolverton, 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 1, 1965.

Private Law 89-57

September 1, 1965
[S. 1138]

AN ACT

For the relief of Lieutenant Robert C. Gibson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant Robert C. Gibson, United States Navy, retired, of Oklahoma City, Oklahoma, is hereby relieved of all liability to repay to the United States the sum of $5,296.36, representing salary paid him during the period from March 20, 1961, through April 6, 1962, while he was employed as an aircraft sheet metal worker at Tinker Air Force Base, Oklahoma, in violation of section 2 of the Act of July 31, 1894 (28 Stat. 205; 5 U.S.C. 62), which prohibits the employment of certain retired military officers in a civilian position, the said Robert C. Gibson having advised the Department of the Air Force of his retired status

Lt. Robert C. Gibson.

prior to and after his employment at Tinker Air Force Base. 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 Robert C. Gibson, the sum of any amounts received or withheld from him on account of the salary payments 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 1, 1965.

Private Law 89-58

September 1, 1965
[S. 1196]

AN ACT

For the relief of Wright G. James.

Wright G. James.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Wright G. James of Heidelberg, Mississippi, is hereby relieved of all liability for repayment to the United States of the sum of $12,511.35, representing overpayments of salary paid to him during the calendar years of 1961, 1962, and 1963, for services he rendered while holding an office as a civilian employee of the United States Army Transportation Depot Activity, Korea, in violation of section 2 of the Act of July 31, 1894 (5 U.S.C. 62), which prohibits the employment of certain retired military officers in a civilian position, the said Wright G. James having advised the Department of the Army of his retired status prior to his employment with such Transportation Depot Activity. 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.

28 Stat. 205.

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 Wright G. James, 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 1, 1965.

Private Law 89-59

AN ACT

For the relief of Jack C. Winn, Junior.

September 1, 1965
[S. 1267]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Jack C. Winn, Junior, of Roswell, New Mexico, is hereby relieved of all liability for repayment to the United States of the sum of $721.25, representing overpayments made on the date of his release from active duty in the United States Army on April 18, 1958, as a result of administrative error in the computation of payments due for accrued leave and excess leave. 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.

Jack C. Winn, Jr.

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 Jack C. Winn, 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 September 1, 1965.

Private Law 89-60

AN ACT

For the relief of the estate of Donovan C. Moffett.

September 1, 1965
[H. R. 1481]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of laws and regulations relating to national service life insurance, the late Donovan C. Moffett, of Cortland, New York, shall be deemed to have made timely payment to the Veterans' Administration of the March 1963 premium on his national service life insurance five-year level premium term policy (V–2414184), the said Donovan C. Moffett having been physically and mentally incapable of attending to any business matters from February 26, 1963, until the date of his death, April 16, 1963.

Donovan C. Moffett estate.

SEC. 2. Any insurance benefits paid under the authority of this Act shall be made from the national service life insurance appropriation, and the amount so paid shall be reduced by the amount of any unpaid premiums upon the policy referred to in this Act.

Approved September 1, 1965.

Private Law 89-61

September 1, 1965
[H. R. 10132]

AN ACT

To authorize the Honorable Joseph W. Martin, Junior, of Massachusetts, former Speaker of the House of Representatives, to accept the award of the Military Order of Christ with the rank of grand officer.

Hon. Joseph W. Martin, Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Honorable Joseph W. Martin, Junior, of Massachusetts, former Speaker of the House of Representatives, is authorized to accept the award of the Military Order of Christ with the rank of grand officer tendered by the Government of Portugal, together with any decorations and documents evidencing such 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 Joseph W. Martin, Junior, the decorations and documents evidencing such award.

Approved September 1, 1965.

Private Law 89-62

September 2, 1965
[H. R. 3750]

AN ACT

For the relief of certain individuals.

Artur O. Hightower 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 October 14, 1962, through August 29, 1964, 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
Hightower, Artur O	$258.80
Fleming, Bettye J	298.88
Akin, Edward L	408.29
Brown, Evelyn D	354.76
Moore, Mary L	319.89
Cavener, Dorothy T	357.12
Azeltine, Lena L	318.42
Buswell, Mary L	356.08
Buchanan, Ancel L	474.40
Patrick, A. Lucille	316.80
Gray, Donald J	208.55
Ozeretny, Jerry E	255.29
Pettit, Alva F	493.60
Benson, Lloyd A	494.72
Skinner, Norman L	199.55
Carothers, J. C	511.92

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 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 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 September 2, 1965.

Private Law 89-63

September 2, 1965
[H. R. 4719]

AN ACT

For the relief of Josephine C. Rumley, administratrix of the estate of George S. Rumley.

Josephine C. Rumley.

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, the sum of $11,667.06 to Josephine C. Rumley, administratrix of the estate of George S. Rumley, which amount was fixed by the United States Court of Claims in its decision in congressional case numbered 4–61, decided January 22, 1965, as the sum due the estate in full settlement of its claims against the United States for amounts due by reason of performance of work on contract numbered DA–30–280–QM–12130 by the decedent, George S. Rumley, doing business as the George S. Rumley Shoe Manufacturing Company, but which was withheld by the Government. No part of the amount appropriated in this Act in excess of 30 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 2, 1965.

Private Law 89-64

September 11, 1965
[H. R. 10342]

AN ACT

To authorize the Honorable Frances P. Bolton, of Ohio, a Member of the House of Representatives, to accept the award of Officier in the French National Order of the Legion of Honor.

Hon. Frances P. Bolton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Honorable Frances P. Bolton, of Ohio, a Member of the House of Representatives, is authorized to accept the award of Officier in the French National Order of the Legion of Honor tendered by the Government of France, 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 Frances P. Bolton the decorations and documents evidencing such award.

Approved September 11, 1965.

Private Law 89-65

September 15, 1965
[H. R. 1443]

AN ACT

For the relief of Mrs. Olga Bernice Bramson Gilfillan.

Olga B. B. Gilfillan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Olga Bernice Bramson Gilfillan, who lost United States citizenship under the provisions of section 301(b) 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 such Act. From and after naturalization under this Act, the said Mrs. Olga Bernice Bramson Gilfillan shall have the same citizenship status as that which existed immediately prior to its loss.

66 Stat. 235.
8 USC 1401.
8 USC 1421.
8 USC 1448.

Approved September 15, 1965.

Private Law 89-66

September 15, 1965
[H. R. 1627]

AN ACT

For the relief of Esterina Ricupero.

Esterina Ricupero.

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)(1) of the Immigration and Nationality Act, Esterina Ricupero may be issued a visa and admitted to the United States for permanent residence if she 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: *Provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

Ante, p. 919.
8 USC 1182.
66 Stat. 188.
8 USC 1183.

Approved September 15, 1965.

Private Law 89-67

September 15, 1965
[H. R. 1820]

AN ACT

For the relief of Winsome Elaine Gordon.

Winsome E. Gordon.

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, Winsome Elaine Gordon may be classified as an eligible orphan 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. Donovan Johnston, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. The provisions of section 245(c) of the Immigration and Nationality Act shall be inapplicable in this case.

Ante, p. 917.
8 USC 1101.
8 USC 1155.
8 USC 1255.

Approved September 15, 1965.

Private Law 89-68

AN ACT

For the relief of Joo Yul Kim.

September 15, 1965
[H. R. 2678]

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, Joo Yul Kim may be classified as an eligible orphan within the meaning of section 101 (b) (1) (F) of the Act, upon approval of a petition filed on his behalf of Mr. and Mrs. Coburn J. Kapka, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Joo Yul Kim.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved September 15, 1965.

Private Law 89-69

AN ACT

For the relief of Dorota Zytka.

September 15, 1965
[H. R. 2871]

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, Dorota Zytka may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Raymond E. and Marry A. Haffke, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Dorota Zytka.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved September 15, 1965.

Private Law 89-70

AN ACT

For the relief of Consuelo Alvarado de Corpus.

September 15, 1965
[H. R. 3292]

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)(31) of the Immigration and Nationality Act, Consuelo Alvarado de Corpus may be issued a visa and admitted to the United States for permanent residence if she 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.

Consuelo Alvarado de Corpus.

66 Stat. 187.
8 USC 1182.

Approved September 15, 1965.

Private Law 89-71

AN ACT

For the relief of Mrs. Kazuyo Watanabe Ridgely.

September 15, 1965
[H. R. 6719]

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)(23) of the Immigration and

Kazuyo Watanabe Ridgely.

70 Stat. 575.
8 USC 1182.

Nationality Act, Mrs. Kazuyo Watanabe Ridgely may be issued a visa and admitted to the United States for permanent residence if she 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 15, 1965.

Private Law 89-72

September 17, 1965
[S. 440]

AN ACT

For the relief of Jose L. Rodriguez.

Jose L. Rodriguez.
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, Jose L. Rodriguez shall be held and considered to have retained his priority on the quota waiting list as of March 24, 1952, the date on which he first registered as an intending immigrant.

Approved September 17, 1965.

Private Law 89-73

September 17, 1965
[S. 853]

AN ACT

For the relief of Charles N. Legarde and his wife, Beatrice E. Legarde.

Charles N. and Beatrice E. Legarde.

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 N. Legarde and his wife, Beatrice E. Legarde, of New Bedford, Massachusetts, the sum of $30,573.67 in full satisfaction of all claims against the United States of the said Charles N. Legarde and Beatrice E. Legarde for compensation for injuries sustained by them arising out of an automobile accident on September 2, 1961, caused by a United States Coast Guard truck operated by a member of the United States Coast Guard: *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 September 17, 1965.

Private Law 89-74

September 17, 1965
[H. R. 1402]

AN ACT

For the relief of Doctor Jorge Rosendo Barahona.

Doctor Jorge R. Barahona.
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 Rosendo Barahona shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 3, 1960.

Approved September 17, 1965.

Private Law 89-75

AN ACT

For the relief of Elizabeth Kam Oi Hu.

September 21, 1965
[S. 135]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Elizabeth Kam Oi Hu, who lost United States citizenship under the provisions of paragraph (5), subsection (a) of section 349 of the Immigration and Nationality Act, may be naturalized by taking, prior to one year after the date of the enactment 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 State abroad, an oath as prescribed by section 337 of such Act. From and after naturalization under this Act, the said Elizabeth Kam Oi Hu shall have the same citizenship status as that which existed immediately prior to its loss.

Elizabeth Kam Oi Hu.

66 Stat. 268.
8 USC 1481.

8 USC 1421.

8 USC 1448.

Approved September 21, 1965.

Private Law 89-76

AN ACT

For the relief of Angel Lagmay.

September 21, 1965
[S. 136]

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, Angel Lagmay may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act, and a petition may be filed by Cornelio Lagmay, a citizen of the United States, in behalf of the said Angel Lagmay, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans.

Angel Lagmay.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved September 21, 1965.

Private Law 89-77

AN ACT

For the relief of Lee Hyang Na.

September 21, 1965
[S. 454]

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 Hyang Na may be classified as an eligible orphan within the meaning of section 101(b)(1)(F), and a petition may be filed in behalf of the said Lee Hyang Na by Mr. and Mrs. George O. Gregerson, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Lee Hyang Na.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved September 21, 1965.

Private Law 89-78

September 21, 1965
[S. 521]

AN ACT

For the relief of Maria Gioconda Femia.

Maria Gioconda Femia.
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, Maria Gioconda Femia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 13, 1946.

Approved September 21, 1965.

Private Law 89-79

September 21, 1965
[S. 828]

AN ACT

For the relief of Cha Mi Hi.

Cha Mi Hi.
Ante, p. 916.
8 USC 1155.

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 205(c), relating to the number of petitions which may be approved in behalf of eligible orphans, shall be inapplicable in the case of a petition filed in behalf of Cha Mi Hi by Mr. and Mrs. Anthony Caucutt, citizens of the United States.

Approved September 21, 1965.

Private Law 89-80

September 21, 1965
[S. 879]

AN ACT

For the relief of Kim Sa Suk.

Kim Sa Suk.
Ante, p. 916.
8 USC 1155.

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 205(c), relating to the number of petitions which may be approved in behalf of eligible orphans, shall be inapplicable in the case of a petition filed in behalf of Kim Sa Suk by Mr. and Mrs. Joseph Caperna, citizens of the United States.

Approved September 21, 1965.

Private Law 89-81

September 21, 1965
[S. 971]

AN ACT

For the relief of Mrs. Elena B. Guira.

Elena B. Guira.

66 Stat. 268.
8 USC 1481.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Elena B. Guira, 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 Mrs. Elena B. Guira shall have the same citizenship status as that which existed immediately prior to its loss.

8 USC 1448.

Approved September 21, 1965.

Private Law 89-82

AN ACT

For the relief of Shu Hsien Chang.

September 21, 1965
[S. 1084]

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, Shu Hsien Chang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 7, 1950.

Shu Hsien Chang.
66 Stat. 163.
8 USC 1101 note.

Approved September 21, 1965.

Private Law 89-83

AN ACT

For the relief of Chung J. Clark.

September 21, 1965
[S. 1170]

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, Chung J. Clark, the widow of a United States citizen who served honorably in the Armed Forces of the United States, shall be held and considered to be within the purview of section 101(a)(27)(A) of that Act and the provisions of section 205 of that Act shall not be applicable in this case.

Chung J. Clark.

Ante, p. 916.
8 USC 1101.
8 USC 1155.

Approved September 21, 1965.

Private Law 89-84

AN ACT

For the relief of Kris Ann Larsen.

September 21, 1965
[S. 1186]

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, Kris Ann Larsen may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Mrs. Margaret A. Larsen, a citizen of the United States, in behalf of the said Kris Ann Larsen pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

Kris Ann Larsen.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved September 21, 1965.

Private Law 89-85

AN ACT

For the relief of Specialist Manuel D. Racelis.

September 21, 1965
[S. 1209]

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, Specialist Manuel D. Racelis 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

Specialist Manuel D. Racelis.
66 Stat. 163.
8 USC 1101 note.

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 September 21, 1965.

Private Law 89-86

September 21, 1965
[H. R. 2305]

AN ACT

For the relief of Zenaida Quijano Lazaro.

Zenaida Quijano Lazaro.

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)(3) of the Immigration and Nationality Act, Zenaida Quijano Lazaro may be issued a visa and admitted to the United States for permanent residence if she 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: *Provided further*, That if the said Zenaida Quijano Lazaro is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

66 Stat. 182.
8 USC 1182.

72 Stat. 1445.
10 USC 1071.

8 USC 1183.

Approved September 21, 1965.

Private Law 89-87

September 21, 1965
[H. R. 8351]

AN ACT

For the relief of Clarence L. Aiu and others.

Clarence L. Aiu 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 each of the following claimants, or to his survivors, the sum designated, in full satisfaction of his claim against the United States, which sum represents the reasonable value of each claimant's personal property lost, damaged, or destroyed by, and personal expenses incurred as a result of, Typhoon Karen which occurred at Guam, Marianas Islands, on November 11, 1962, where each claimant was required to be incident to his service as an employee of the United States Government:

Clarence L. Aiu, $652.06; Ralph C. Alexander, $225; Ronald E. Bereman, $570; Donald F. Berrigan, $660.77; John M. Bonvissuto, $1,919.60; Thomas G. Brown, $2,475.45; Norman L. Butner, $675; George T. Candy, $1,886; Willis S. Cannon, Junior, $2,134; Harry Clark, Junior, $2,537.50; George DeLima, $801; John C. Enlow, $198; Wilfrid F. Gehrkin, $325; Marvin A. Gradwohl, $6,500; Emil E. Guenther, $881; Harold W. Hamm, Junior, $235; Chester D. Hand, $1,638;

George T. Harris, $3,084.74; George F. Hartley, $1,951.50; William A. Hawkins, $618.22; Yushio Hirata, $1,290; Guy R. Hudson, $1,476.10; Ronald H. Inefuku, $843.19; William G. Jackson, $1,909; Loren E. Jones, $1,146.95; Leroy E. Joppie, $260; Arthur K. Kawai, $529; Lyle V. Kilpatrick, $489; Verden Kim, $876; Albert S. C. Kong, $2,181.40; James T. Kushima, $264.25; William A. Lawless, $1,503.83; Roy S. Makio, $797; Manuel Marin, $6,500; K. Steward McClelland, $329;

Lestel D. McQuay, $54.77; Alexander S. Melligio, $2,584.45; Wallace T. Morioka, $3,128.19; Thomas J. Morris, $1,284; Judson S. Munsey, $3,463.05; Gary J. Nelson, $510.50; Cornelius E. O'Brien, $1,023; James T. O'Donnell, $2,536.97; Robert E. Orr, $675; John H. Outcalt, $1,108.25; Daniel J. Pereira, $1,453; James V. Powell, $214; Agnes M. Pratt, $1,144.20; John B. Pratt, Junior, $807.90; Joe C. Price, $947.55; Lloyd V. Richmond, $2,495; Leroy Rosa, $80; Kenneth H. Short, $1,768;

Vianna C. Stream, $626.50; Chester K. Tatsumura, $1,106.90; Raymond S. Tokumoto, $971.22; Charles M. Unten, $3,184.75; Arthur H. Watt, $545; James A. Wene, $449; Homer L. Willess, $1,834.85; Robert G. C. Wong, $135; Gordon R. Yen, $400.

Provided, That no part of the amounts 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 these claims, 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. This Act shall become effective immediately upon its enactment.

Approved September 21, 1965.

Private Law 89-88

AN ACT

For the relief of Maria Liberty Burnett.

September 22, 1965
[S. 192]

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 Liberty Burnett may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, and a petition may be filed in behalf of the said Maria Liberty Burnett by Donald M. Burnett, a citizen of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

Maria L. Burnett.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved September 22, 1965.

Private Law 89-89

AN ACT

For the relief of Maria Tsilis.

September 22, 1965
[S. 586]

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 Tsilis shall be deemed to be within the purview of section 101(b)(1)(E) of that Act, and she shall be considered eligible for first preference quota status under section 203(a)(1) of the said Act as one following to join her adoptive parents, Mr. and Mrs. Stavros Manthos Tsilis, and shall be accorded the same priority in the issuance of the visa as that accorded her adoptive parents: *Provided*, That the said Maria Tsilis shall enter the United States within one year following the date of the enactment of this Act.

Maria Tsilis.

71 Stat. 639.
8 USC 1101.
Ante, p. 912.
8 USC 1153.

Approved September 22, 1965.

Private Law 89-90

September 22, 1965
[S. 653]

AN ACT

For the relief of George Paluras (Georgios Palouras).

George Paluras.

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, George Paluras (Georgios Palouras) may be classified as an eligible orphan within the meaning of section 101(b)(1)(F), and a petition may be filed in behalf of the said George Paluras (Georgios Palouras) by Mr. Philip Paluras, a citizen of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved September 22, 1965.

Private Law 89-91

September 22, 1965
[S. 703]

AN ACT

For the relief of Kimie Okamoto Addington.

Kimie Okamoto Addington.

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, Kimie Okamoto Addington may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Charles and Mildred Addington, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved September 22, 1965.

Private Law 89-92

September 22, 1965
[S. 861]

AN ACT

For the relief of Alva Arlington Garnes.

Alva Arlington Garnes.

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 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Alva Arlington Garnes, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Cecil Edgar Taitt, citizens of the United States: *Provided*, That no natural parent of the beneficiary, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

Ante, p. 916.
8 USC 1101, 1155.

Approved September 22, 1965.

Private Law 89-93

September 22, 1965
[S. 1919]

AN ACT

For the relief of Laura MacArthur Goditiabois-Deacon.

Laura MacArthur Goditiabois-Deacon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time Laura MacArthur Goditiabois-Deacon, daughter of Ambassador Douglas MacArthur and Mrs. Laura Louise MacArthur, was residing abroad

with her parents, during her minority, when her father was serving abroad as a career Foreign Service officer of the United States, shall be held and considered to be compliance with the physical-presence requirement of section 301(a)(7) of the Immigration and Nationality Act, as amended.

66 Stat. 236.
8 USC 1401.

Approved September 22, 1965.

Private Law 89-94

AN ACT

For the relief of Anna Maria Heiland.

September 25, 1965
[S. 76]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (3) of section 212(a) of the Immigration and Nationality Act, Anna Maria Heiland may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provision of such Act: *Provided*, That if the said Anna Maria Heiland is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This section shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

Anna Maria Heiland.
66 Stat. 182.
8 USC 1182.
72 Stat. 1445.
10 USC 1071.
8 USC 1183.

Approved September 25, 1965.

Private Law 89-95

AN ACT

For the relief of John William Daugherty, Junior.

September 25, 1965
[S. 517]

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)(1) of the Immigration and Nationality Act, John William Daugherty, Junior, 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 if the said John William Daugherty, Junior, is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further*, 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.

John W. Daugherty, Jr.
Ante, p. 919.
8 USC 1182.
72 Stat. 1445.
10 USC 1071.
66 Stat. 188.
8 USC 1183.

Approved September 25, 1965.

Private Law 89-96

AN ACT

For the relief of Doctor Sedat M. Ayata.

September 25, 1965
[S. 573]

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

Dr. Sedat M. Ayata.

66 Stat. 163.
8 USC 1101 note.

poses of the Immigration and Nationality Act, Doctor Sedat M. Ayata shall be held and considered to be lawfully admitted to the United States for permanent residence as of October 1, 1958.

Approved September 25, 1965.

Private Law 89-97

September 25, 1965
[S. 584]

AN ACT
For the relief of Ming Chup Chau.

Ming Chup Chau.

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 101(b)(1)(E) of the Immigration and Nationality Act, Ming Chup Chau shall be held and considered to be under twenty-one years of age.

71 Stat. 639.
8 USC 1101.

Approved September 25, 1965.

Private Law 89-98

September 25, 1965
[S. 614]

AN ACT
For the relief of Evangelia Moshou Kantas.

Evangelia M. Kantas.

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, Evangelia Moshou Kantas may be classified as an eligible orphan within the meaning of section 101(b)(F) of the said Act and a petition may be filed by Mr. and Mrs. Jerry Kantas, citizens of the United States, in behalf of the said Evangelia Moshou Kantas pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved September 25, 1965.

Private Law 89-99

September 25, 1965
[S. 1736]

AN ACT
For the relief of Jennifer Ellen Johnson Mojdara.

Jennifer Ellen Johnson Mojdara.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time Jennifer Ellen Johnson Mojdara, daughter of Ambassador U. Alexis Johnson and Mrs. Patricia Ann Johnson, was residing abroad with her parents, during her minority, when her father was serving abroad as a career Foreign Service officer of the United States, shall be held and considered to be compliance with the physical-presence requirement of section 301(a)(7) of the Immigration and Nationality Act, as amended.

66 Stat. 236.
8 USC 1401.

Approved September 25, 1965.

Private Law 89-100

JOINT RESOLUTION

September 25, 1965
[H. J. Res. 504]

To facilitate the admission into the United States of certain aliens.

Resolved 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, Wlodzimiesz Cielecki may be classified as an eligible orphan within the meaning of section 101(b)(1)(E) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Walter Cielecki, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Wlodzimiesz Cielecki and others.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

SEC. 2. In the administration of the Immigration and Nationality Act, Woo Soon Kook may be classified as an eligible orphan 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. John T. King, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

SEC. 3. In the administration of the Immigration and Nationality Act, Bonita Whang may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by the Reverend and Mrs. Vincent C. Licatesi, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

SEC. 4. That, in the administration of the Immigration and Nationality Act, Annunziata Zingarelli (also known as Pedone) may be classified as an eligible orphan 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. Pasquale Pedone, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 5. That, in the administration of the Immigration and Nationality Act, Soo Bong Kim may be classified as an eligible orphan 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. Keith King, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

SEC. 6. That, in the administration of the Immigration and Nationality Act, Slovenka Perusko may be classified as an eligible orphan 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. Antonio Rodani, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 7. That, in the administration of the Immigration and Nationality Act, Liliana Vrchkovska Pandoff may be classified as an eligible orphan 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. William S. Pandoff, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 8. That, in the administration of the Immigration and Nationality Act, Letizia Geta may be classified as an eligible orphan within

Ante, p. 917.
8 USC 1101.
8 USC 1155.

the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Domenico Geta, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 9. That, in the administration of the Immigration and Nationality Act, Cho Seung Man and Kim Chul Hee may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the Act, upon approval of petitions filed in their behalf by Mr. and Mrs. Carl Volz, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

SEC. 10. That, in the administration of the Immigration and Nationality Act, Krystyna Horoszko Powell may be classified as an eligible orphan 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. Lyndall G. Powell, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 11. In the administration of the Immigration and Nationality Act, Krystyna Zielinski may be classified as an eligible orphan 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 Zielinski, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 12. In the administration of the Immigration and Nationality Act, Despina E. Foundoulakis may be classified as an eligible orphan 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. Nick Matheakis, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 13. In the administration of the Immigration and Nationality Act, Lam Chong may be classified as an eligible orphan 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. William Lem, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 14. In the administration of the Immigration and Nationality Act, Kil Ja Ahn may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Mrs. Clara A. Pope, a citizen of the United States, may be approved pursuant to the provisions of section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 15. For the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Juana Brandariz Sanchez shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Jose Antonio Sanchez, citizens of the United States.

SEC. 16. In the administration of the Immigration and Nationality Act, Czeslawa Podgorska may be classified as an eligible orphan 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 Helma, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 17. In the administration of the Immigration and Nationality Act, Severia Cortes Naranjo may be classified as an eligible orphan 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. Perfecto Nopasa

Naranjo, citizens of the United States, respectively, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 916.
8 USC 1155.

SEC. 18. In the administration of the Immigration and Nationality Act, George Scargall may be classified as an eligible orphan 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 Scargall, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

8 USC 1101.

SEC. 19. In the administration of the Immigration and Nationality Act, Carmela Macaro may be classified as an eligible orphan 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. Armond Macaro, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 20. In the administration of the Immigration and Nationality Act, Yu Bing Chuck, Yu Lai Jing, Yu Lai Chun and Yu Bing Cheong may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the Act, upon approval of petitions filed in their behalf by Mr. and Mrs. Henry Lee, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 21. In the administration of the Immigration and Nationality Act, Marcia Patricia Connell may be classified as an eligible orphan 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. Roy E. Licorish, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 22. In the administration of the Immigration and Nationality Act, Leonora Guevara Villanueva may be classified as an eligible orphan 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. Benny C. Fajardo, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Approved September 25, 1965.

Private Law 89-101

September 25, 1965
[H. R. 1892]

AN ACT

For the relief of Master Sergeant Richard G. Smith, United States Air Force, retired.

M. Sgt. Richard G. Smith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Master Sergeant Richard G. Smith, United States Air Force, retired (AF 17252944), of Omaha, Nebraska, is relieved of liability to the United States in the amount of $790.44, representing an overpayment of base pay, accrued leave, and a reenlistment bonus paid to him by the United States Air Force between 1948 and 1963 through an erroneous credit of longevity. 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 Master Sergeant Richard G. Smith 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 September 25, 1965.

Private Law 89-102

September 29, 1965
[S. 1198]

AN ACT

For the relief of the estate of Harley Brewer, deceased.

Harley Brewer 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 $4,500 to the estate of Harley Brewer, deceased, in full satisfaction of the claims of the decedent against the United States for compensation authorized to be paid to him by Private Law 88-360, approved October 14, 1964, but which was not so paid to the said Harley Brewer by reason of his death prior to enactment of the said private law: *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.

78 Stat. 1200.

Approved September 29, 1965.

Private Law 89-103

September 29, 1965
[H. R. 3128]

AN ACT

For the relief of Angelo Iannuzzi.

Angelo Iannuzzi.

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, Angelo Iannuzzi shall be held and considered to be within the purview of section 101(b)(1)(B) of that Act.

71 Stat. 639.
8 USC 1101.

Approved September 29, 1965.

Private Law 89-104

September 29, 1965
[H. R. 3684]

AN ACT

For the relief of Major Alexander F. Berol, United States Army, retired.

Maj. Alexander F. Berol.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Major Alexander F. Berol, United States Army, retired (O33000) of Oreland, Pennsylvania, is relieved of liability to the United States in the amount of $3,161.28, representing the amount of compensation received by him while employed as a civilian by the Department of the Navy from January 7, 1963, through September 13, 1963, in violation 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 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 Major Alexander F. Berol 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 September 29, 1965.

Private Law 89-105

September 29, 1965
[H. R. 8218]

AN ACT

For the relief of Walter K. Willis.

Walter K. Willis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Walter K. Willis, of Mexico, Missouri, is relieved of liability to pay to the United States the sum of $726.73, representing the aggregate of amounts received by him from the Department of the Air Force, as a result of administrative error on the part of such Department, for (1) accrued leave at the time of his discharge on January 22, 1962, as an enlisted member of the United States Air Force (service number AF17338530), and (2) pay and allowances for fifty days of leave taken by him, in excess of his entitlement thereto, during the period beginning May 16, 1960, and ending January 12, 1961. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amounts for which liability is relieved 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 September 29, 1965.

Private Law 89-106

September 29, 1965
[S. 402]

AN ACT

For the relief of Oh Wha Ja (Penny Korleen Doughty).

Oh Wha Ja.

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 205 of the Immigration and Nationality Act, Oh Wha Ja (Penny Korleen Doughty) shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Edwin Doughty, citizens of the United States: *Provided*, That the

Ante, pp. 912, 916.
8 USC 1153, 1155.

natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved September 29, 1965.

Private Law 89-107

September 29, 1965
[S. 450]

AN ACT

For the relief of William John Campbell McCaughey.

William J. C. McCaughey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William John Campbell McCaughey may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that no period of physical presence within the United States shall be required in addition to his physical presence within the United States since November 27, 1956.

66 Stat. 235.
8 USC 1401 *et seq.*

Approved September 29, 1965.

Private Law 89-108

September 29, 1965
[S. 618]

AN ACT

For the relief of Nora Isabella Samuelli.

Nora Isabella Samuelli.

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 Nora Isabella Samuelli, the sum of $38,114.90 as a gratuity for the sacrifices sustained by her as a result of having been imprisoned for twelve years by the Communist Government of Rumania on charges that the said Nora Isabella Samuelli acted as a spy for the United States while employed in the United States Legation in Bucharest, Rumania: *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. The period from July 24, 1949, to June 14, 1961, inclusive, during which Nora Isabella Samuelli was imprisoned by the Communist Government of Rumania on charges that she acted as a spy for the United States while employed in the United States Legation in Bucharest, Rumania, 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, she makes the required employee contribution.

70 Stat. 743.

Approved September 29, 1965.

Private Law 89-109

September 29, 1965
[S. 1111]

AN ACT

For the relief of Pola Bodenstein.

Pola Bodenstein.

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)(3) of the Immigration and

Nationality Act, Pola Bodenstein may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the 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: *Provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

66 Stat. 182.
8 USC 1182.

Approved September 29, 1965.

Private Law 89-110

AN ACT

September 29, 1965
[S. 1390]

For the relief of Rocky River Company and Macy Land Corporation.

Rocky River Co. and Macy Land Corp.

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 Rocky River Company and the Macy Land Corporation, the sum of $88,729.60, representing the amount found by the United States Court of Claims in response to S. Res. 331, Eighty-sixth Congress (congressional numbered 7-60, decided January 22, 1965), to be equitably due the said Rocky River Company and the Macy Land Corporation from the United States. The payment of such sum shall be in full satisfaction of all claims of the said Rocky River Company and the Macy Land Corporation against the United States for compensation for damages not considered or compensated for in a previous settlement and which were sustained by the said Rocky River Company and the Macy Land Corporation with respect to certain lands owned by them and located in Van Buren County, Warren County, and Sequatchie County, Tennessee, such lands having been leased by the United States for use as an artillery range and left uncleared of unexploded shells. The payment of the amount authorized by this Act shall be conditioned on a full and final release executed by the said Rocky River Company and the Macy Land Corporation forever releasing the United States as to any claims by the said Rocky River Company and the said Macy Land Corporation or their transferees or assigns, based upon the condition of the lands referred to in this Act or upon any ordnance material remaining in that land, or damage or injury therefrom, and the release shall further provide that the Rocky River Company and Macy Land Corporation further agree in return for the payment of the amount provided in this Act that they will assume all liability for injury or damage which may result from any ordnance material remaining in said land and will indemnify and hold harmless the United States for any claims asserted by reason of injury or damage caused by such ordnance material. 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 29, 1965.

Private Law 89-111

September 29, 1965
[H. R. 1395]

AN ACT

For the relief of Irene McCafferty.

Irene McCafferty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Irene McCafferty, of San Francisco, California, is relieved of liability to the United States in the amount of $303.20, representing an overpayment of salary made to her because of administrative error from April 3, 1960, to June 9, 1963, while employed by the Maritime Administration in San Francisco, California. 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 Irene McCafferty 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 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 September 29, 1965.

Private Law 89-112

September 29, 1965
[H. R. 2926]

AN ACT

For the relief of Efstahia Giannos.

Efstahia Giannos.

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, Efstahia Giannos may be classified as an eligible orphan within the meaning of section 101 (b) (1) (F) of the Act, and a petition filed in her behalf by Mr. Theodore Giannos, a citizen of the United States, may be approved pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved September 29, 1965.

Private Law 89-113

September 29, 1965
[H. R. 2933]

AN ACT

For the relief of Kim Jai Sung.

Kim Jai Sung.

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 Jai Sung may be classified as an eligible orphan 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. Roy D. Holland, citizens of the United States, pursuant to section 205(b) of the Act, subject to all conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved September 29, 1965.

Private Law 89-114

AN ACT

For the relief of A. T. Leary.

September 29, 1965
[H. R. 9854]

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 A. T. Leary, of Beaufort, North Carolina, the sum of $3,778.02, representing the amounts paid by the said A. T. Leary to the United States as employee and employer taxes under the Railroad Retirement Tax Act (chapter 22 of the Internal Revenue Code of 1954, and subchapter B of chapter 9 of the Internal Revenue Code of 1939) by reason of services performed by him in connection with the operation of the Beaufort and Morehead Railroad Company. The fact that taxes were not payable by reason of such services, and that no coverage under the Railroad Retirement Act of 1937 was provided by reason of such services, was not discovered until the statutory period for filing claim for refund of such amounts had expired: *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.

A. T. Leary.

26 USC 3201 *et seq.*
53 Stat. 175.

45 USC 228a *et seq.*

Approved September 29, 1965.

Private Law 89-115

AN ACT

For the relief of John Allen.

October 1, 1965
[H. R. 2694]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Allen of Oakland, California, is hereby relieved of liability to the United States in the amount of $1,035.79, the amount of an overpayment of salary between January 10, 1960, and January 10, 1962. 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.

John Allen.

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 John Allen, 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 October 1, 1965.

Private Law 89-116

October 1, 1965
[H. R. 3765]

AN ACT

For the relief of Miss Rosa Basile DeSantis.

Rosa Basile DeSantis.

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 Rosa Basile DeSantis may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Santa DeSantis, a citizen of the United States, may be approved pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved October 1, 1965.

Private Law 89-117

October 1, 1965
[H. R. 4596]

AN ACT

For the relief of Myra Knowles Snelling.

Myra Knowles Snelling.

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 Myra Knowles Snelling, the daughter of Sergeant Willie L. Knowles (United States Air Force), the sum of $7,500 in full settlement of her claims against the United States on account of personal injuries sustained by her on May 28, 1955, when she was struck by an automobile operated by a citizen of France as she was alighting from a school bus at Nogent-en-Bassigny, France, which bus was engaged in transporting the children of Air Force personnel between the Air Force base and the school attended by such children pursuant to a contract with the United States Air Force. 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. 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 $473.55 to Technical Sergeant Willie L. Knowles (United States Air Force) in full settlement of his claims against the United States for medical, hospital, and transportation expenses incurred by him in connection with the treatment of his daughter, Myra Knowles Snelling, during the period of her minority as the result of personal injuries sustained by her in the accident 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 October 1, 1965.

Private Law 89-118

AN ACT

For the relief of Sergeant Donald R. Hurrle, United States Marine Corps.

October 1, 1965
[H. R. 5839]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Sergeant Donald R. Hurrle, United States Marine Corps, is hereby relieved of all liability for repayment to the United States of the sum of $129.49, representing the amount of compensation earned by him during the period July 30, 1963, through August 8, 1963, as an employee of the Bostonia station of the El Cajon, California, post office when, through a misunderstanding, he continued his employment at the post office while officially in the Marine Corps on advance leave.

Sgt. Donald R. Hurrle.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sergeant Donald R. Hurrle, an amount equal to the aggregate of any amounts paid by him or withheld from sums otherwise due him by reason of the liability referred to in 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 October 1, 1965.

Private Law 89-119

AN ACT

For the relief of William C. Page.

October 1, 1965
[H. R. 5903]

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 William C. Page of Oklahoma City, Oklahoma, the sum of $2,342 in full settlement of all his claims against the United States for amounts due him, as a United States Commissioner for the United States District Court for the Western District of Oklahoma, for services rendered between August 31, 1963, and February 10, 1964. His claim for such amount was disallowed by the Administrative Office of the United States Courts because it was not made within the period provided in section 636 of title 28, 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.

William C. Page.

62 Stat. 917.

Approved October 1, 1965.

Private Law 89-120

October 1, 1965
[H. R. 8212]

AN ACT

For the relief of Kent A. Herath.

Kent A. Herath.

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 Kent A. Herath the sum of $676 in full satisfaction of his claim against the United States for the loss of certain personal property from his official residence in David, Panama, where he was serving as United States Information Service branch public affairs 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 $1,000.00.

Approved October 1, 1965.

Private Law 89-121

October 1, 1965
[H. R. 8352]

AN ACT

For the relief of certain employees of the Foreign Service of the United States.

Edward H. Brown 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 each of the following employees of the Foreign Service of the United States, the sum designated in full satisfaction of their claims against the United States for compensation for personal property lost while performing their official duties: Edward H. Brown, $2,240; Anna J. Bryant, $1,625; Ronald G. Dixon, $211; John J. MacDougall, $1,465; Rene A. Tron, $1,500. 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 1, 1965.

Private Law 89-122

October 1, 1965
[H. R. 1221]

AN ACT

For the relief of Betty H. Going.

Betty H. Going.

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 Betty H. Going, of Jacksonville, Florida, the sum of $4,718.44 in full settlement of all her claims against the United States for an amount equal to the amount she would have received as the beneficiary under a life insur-

ance policy (number 85538–E) issued in 1948 by the Guardian International Life Insurance Company of Dallas, Texas, on the life of her brother, the late Sergeant Walker D. Howle (AF14268363), if the United States had not caused such policy to lapse for nonpayment of premiums. 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 1, 1965.

Private Law 89-123

AN ACT

For the relief of Son Chung Ja.

October 1, 1965
[H. R. 3062]

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, Son Chung Ja may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition in her behalf by Mr. and Mrs. James H. Clark, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Son Chung Ja.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved October 1, 1965.

Private Law 89-124

AN ACT

For the relief of Mrs. Antonio de Oyarzabal.

October 1, 1965
[H. R. 3337]

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 301(a)(7) of the Immigration and Nationality Act, Mrs. Antonio de Oyarzabal shall be held and considered to have been physically present in the United States during all the time she was residing in Spain with her father, the Honorable John Davis Lodge, while he was United States Ambassador to Spain.

Antonio de Oyarzabal.
66 Stat. 236.
8 USC 1401.

Approved October 1, 1965.

Private Law 89-125

AN ACT

For the relief of Mr. and Mrs. Christian Voss.

October 4, 1965
[H. R. 7682]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the national service life insurance (certificate numbered N. 881269) upon the life of the late Vernon A. C. Voss (Veterans' Administration claim numbered XC3099771), who died on October 29, 1942, shall be held and considered to have been in effect in the amount of $5,000 at the time of his death. The Administrator of Veterans' Affairs shall pay such

Mr. and Mrs. Christian Voss.

insurance (including a lump-sum payment equal to the difference between the total of the installments which would have been paid had such insurance in the amount of $5,000 been in force at the time of death, and the total of the installments actually paid, between the date of death and the date of enactment of this Act) in accordance with the National Service Life Insurance Act of 1940, as amended, except that any payments made as a result of the enactment of this Act shall be made directly from the national service life insurance appropriation.

54 Stat. 1008.

Approved October 4, 1965.

Private Law 89-126

October 5, 1965
[H. R. 7090]

AN ACT

For the relief of certain individuals.

Ruddy Wilson 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 per diem received by him while stationed at Fleet Air Western Pacific repair activity, Tokyo and Osaka, Japan. 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:

Wilson, Ruddy (2686566), United States Navy Fleet Reserve, $1,708.60.

Gilbert, William L. (2747774), United States Navy Fleet Reserve, $7,154.70.

Hoover, Russel D. (3132792), United States Navy Fleet Reserve, $6,783.20.

Floyd, Fretwell J. (8456082), United States Navy Fleet Reserve, $8,273.20.

The estate of Dahlen, Wallace A., deceased, formerly a lieutenant commander, United States Navy, $7,508.36.

Benson, Leonard R. (3933163), United States Navy Fleet Reserve, $11,218.75.

Raines, James C. (2952599), United States Navy Fleet Reserve, $6,953.80.

Ringstead, Richard G. (3286779), United States Navy Fleet Reserve, $3,821.85.

McKee, Benjamine A. (3466670), United States Navy Fleet Reserve, $6,471.45.

Coleman, Johnny R. (3603289), United States Navy Fleet Reserve, $4,280.85.

Hudson, William J., Jr. (2744556), United States Navy Fleet Reserve, $1,226.70.

Lindley, William R. (814054), United States Marine Corps Fleet Reserve, $10,232.80.

Gorski, William S. (507173), United States Marine Corps Fleet Reserve, $2,843.95.

Zidnak, Leonard G., 1772 Carlyle Street, Memphis, Tennessee, $5,261.55.

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 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 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 Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved October 5, 1965.

Private Law 89-127

AN ACT

October 5, 1965
[H. R. 4603]

For the relief of Lieutenant (junior grade) Harold Edward Henning, United States Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant Harold Edward Henning, United States Navy (641384/1310), of Emporia, Kansas, is relieved of liability to the United States in the amount of $3,847.11, representing the total amount of overpayments of compensation paid to him by the United States Navy 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.

Lt. (jg.) Harold E. Henning.

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 Harold Edward Henning 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 October 5, 1965.

Private Law 89-128

AN ACT

October 9, 1965
[H. R. 2772]

For the relief of Ksenija Popovic.

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, Ksenija Popovic may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Mrs. Joan Drinkwater Behan, a citizen of the United States, may be approved pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ksenija Popovic.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved October 9, 1965, 6:40 a.m.

Private Law 89-129

October 9, 1965
[H. R. 2358]

AN ACT

For the relief of Tony Boone.

Tony Boone.

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 (Tony Boone alias Tony Moon) may be classified as an eligible orphan 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. Raymond C. Proxmire, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved October 9, 1965, 6:45 a.m.

Private Law 89-130

October 10, 1965
[H. R. 1274]

AN ACT

For the relief of Mrs. Michiko Miyazaki Williams.

Michiko Miyazaki Williams.

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, Mrs. Michiko Miyazaki Williams may be issued a visa and admitted to the United States for permanent residence if she 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.

70 Stat. 575.
8 USC 1182.

Approved October 10, 1965.

Private Law 89-131

October 19, 1965
[S. 322]

AN ACT

For the relief of Choy-Sim Mah.

Choy-Sim Mah.

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, Choy-Sim Mah, the widow of Poi Wong, a citizen of the United States, shall be held and considered to be within the purview of section 101(a)(27)(A) of that Act and the provisions of section 205 of the said Act shall not be applicable in this case.

Ante, p. 916.
8 USC 1101.
8 USC 1155.

Approved October 19, 1965.

Private Law 89-132

AN ACT

For the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska.

October 19, 1965
[S. 611]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following named persons are hereby relieved of all liability for repayment to the United States of the respective amounts listed below, representing overpayments of salary which they received as wage board employees at the Mount Edgecumbe Boarding School, Mount Edgecumbe, Alaska, for the period from July 1, 1962, through January 5, 1963, as a result of administrative error in determining their salary rates upon their reassignment to lower grade positions when the feeding program at such school was transferred from the United States Public Health Service to the Bureau of Indian Affairs: (1) Terry M. Finch, $892.56; (2) Peter P. Jones, $516.40; (3) Helmut Langfeldt, $531.60; (4) Rudolph L. Larsen, $520.32; (5) Francisco Lazanas, $1,162.32; (6) George K. Miyasato, $1,162.32; (7) Richard N. Williams, $417.84; and (8) Eddie J. Padden, $144.00. 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 respective amounts for which liability is relieved by this Act.

Mt. Edgecumbe Boarding School employees.

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 employee referred to in the first section of this Act, the sum of any amounts received or withheld from such employee on account of the overpayments referred to in such section.

Approved October 19, 1965.

Private Law 89-133

AN ACT

For the relief of Henryka Lyska.

October 19, 1965
[S. 779]

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, Henryka Lyska may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Henryka Lyska by Mr. and Mrs. Stanley Lyska, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

Henryka Lyska.

Ante, p. 916.
8 USC 1101.

8 USC 1155.

Approved October 19, 1965.

Private Law 89-134

AN ACT

For the relief of Doctor Otto F. Kernberg.

October 19, 1965
[S. 1012]

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

Dr. Otto F. Kernberg.

time Doctor Otto F. Kernberg has resided in the United States since August 16, 1959, 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 19, 1965.

Private Law 89-135

October 19, 1965
[S. 1397]

AN ACT

For the relief of Vasileos Koutsougeanopoulos.

Vasileos Koutsougeanopoulos.

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, Vasileos Koutsougeanopoulos may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Vasileos Koutsougeanopoulos by Mr. and Mrs. Paul Apostle, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved October 19, 1965.

Private Law 89-136

October 19, 1965
[S. 1775]

AN ACT

For the relief of Erich Gansmuller.

Erich Gansmuller.

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 Erich Gansmuller has resided and was physically present in the United States or any State since October 17, 1957, shall be held and considered as compliance with the residence and physical presence requirement of section 316 of said Act.

66 Stat. 242.
8 USC 1427.

Approved October 19, 1965.

Private Law 89-137

October 19, 1965
[S. 1873]

AN ACT

For the relief of Mrs. Clara W. Dollar.

Clara W. Dollar.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Clara W. Dollar, of Atlanta, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $629.35, representing overpayments of compensation she received as an employee of the Federal National Mortgage Association for the period from March 25, 1956, through October 28, 1961, such overpayments having been made as a result of administrative error in establishing her salary rate when she was promoted from grade GS–3, longevity step 3, to grade GS–4, longevity step 2, in violation of the limitations prescribed in section 802(b) of the Classification Act of 1949, as amended. In the audit and settlement of the accounts of any certifying or dis-

5 USC 1132.

bursing 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 Mrs. Clara W. Dollar, the sum of any amounts received or withheld from her on account of the overpayments referred to in the first section of this Act: *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 October 19, 1965.

Private Law 89-138

AN ACT

For the relief of William S. Perrigo.

October 20, 1965
[H. R. 6726]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William S. Perrigo of Beloit, Wisconsin, is relieved of all liability to pay to the Veterans' Administration the sum of $484, representing the amount now held due in order to pay up insurance premiums in full on national service life insurance policy numbered V167593, and that the said policy issued to William S. Perrigo shall be considered as fully paid up, without further payment, as of July 29, 1947, when he complied with the requirements and paid the amount of $3,060.30 then quoted and requested by the Veterans' Administration to pay up the policy in full; it having been found by the Veterans' Administration sixteen years later that such payment was based upon an erroneous quotation and insufficient by $484 to pay up the policy in full. The Administrator of Veterans' Affairs is authorized and directed to refund to the said William S. Perrigo the sum of any amounts received or withheld from him on account of the $484 payment said to be due and to transfer the sum of $484 plus interest from the national service life insurance appropriation to the national service life insurance fund to accomplish the purposes of this Act.

William S. Perrigo.

Approved October 20, 1965.

Private Law 89-139

AN ACT

For the relief of Doctor Orhan Metin Ozmat.

October 21, 1965
[H. R. 6819]

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 Orhan Metin Ozmat shall be held and considered to have complied with the requirements of section 316 of the Act as they relate to residence and physical presence.

Dr. Orhan Metin Ozmat.

66 Stat. 242.
8 USC 1427.

Approved October 21, 1965.

Private Law 89-140

October 23, 1965
[H. R. 5457]

AN ACT

For the relief of Maria del Rosario de Fatima Lopez Hayes.

Maria del Rosario de Fatima Lopez Hayes.

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 del Rosario de Fatima Lopez Hayes may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Mary E. Hayes, a citizen of the United States, may be approved pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved October 23, 1965.

Private Law 89-141

October 23, 1965
[H. R. 5554]

AN ACT

For the relief of Mary Frances Crabbs.

Mary Frances Crabbs.

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, Mary Frances Crabbs may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Reverend and Mrs. Robert Crabbs, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved October 23, 1965.

Private Law 89-142

October 23, 1965
[H. R. 5904]

AN ACT

For the relief of Nam Ie Kim.

Nam Ie Kim.

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, Nam Ie Kim may be classified as an eligible orphan 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. Harris Crogh, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Approved October 23, 1965.

Private Law 89-143

AN ACT

For the relief of Kim Sun Ho.

October 23, 1965
[H. R. 6229]

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 Sun Ho may be classified as an eligible orphan 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. Lloyd E. Tazuk, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Kim Sun Ho.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Approved October 23, 1965.

Private Law 89-144

AN ACT

For the relief of Chun Soo Kim.

October 23, 1965
[H. R. 6235]

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, Chun Soo Kim may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Cliff E. and Virginia May Everett, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Chun Soo Kim.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Approved October 23, 1965.

Private Law 89-145

AN ACT

For the relief of Robert G. Mikulecky.

October 23, 1965
[H. R. 8457]

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 John E. Gondek the sum of $150 in full settlement of all claims against the United States and against Robert G. Mikulecky arising out of an accident which occurred in Chicago, Illinois, on October 26, 1959, when said Robert G. Mikulecky 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

Robert G. Mikulecky.

against the said Robert G. Mikulecky in civil action numbered 64C988 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 October 23, 1965.

Private Law 89-146

October 23, 1965
[H. R. 9521]

AN ACT

For the relief of Clarence Earle Davis.

Clarence Earle Davis.

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, Clarence Earle Davis may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Clarence and Gladys Davis, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917
8 USC 1101.

8 USC 1155.

Approved October 23, 1965.

Private Law 89-147

October 26, 1965
[H. R. 1319]

AN ACT

For the relief of Joseph Durante.

Joseph Durante.

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, Joseph Durante shall be held and considered to have been lawfully admitted to permanent residence as of October 11, 1954.

66 Stat. 163.
8 USC 1101 note.

Approved October 26, 1965.

Private Law 89-148

October 26, 1965
[H. R. 3515]

AN ACT

For the relief of Mary Ann Hartmann.

Mary Ann Hartmann.

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, Mary Ann Hartmann may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Sandra C. and Thomas R. Hartmann, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved October 26, 1965.

Private Law 89-149

AN ACT

For the relief of Raffaella Achilli.

October 26, 1965
[H. R. 9526]

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, Raffaella Achilli may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, upon approval of petitions filed in her behalf by Mr. and Mrs. Armando Loretucci, citizens of the United States, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

Raffaella Achilli.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved October 26, 1965.

Private Law 89-150

AN ACT

For the relief of Joseph J. McDevitt.

October 27, 1965
[H. R. 1311]

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 J. McDevitt, of Philadelphia, the sum of $584. The payment of such sum shall be in full settlement of his claims against the United States for reimbursement of the amount paid by him in full settlement of the judgment rendered against him on March 14, 1960, by the municipal court of Philadelphia, Pennsylvania, arising out of a vehicular accident on April 8, 1957, involving a mailtruck being operated by him as an employee of the United States 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 J. McDevitt.

Approved October 27, 1965.

Private Law 89-151

AN ACT

For the relief of Constantinos Agganis.

October 27, 1965
[H. R. 1836]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Constantinos Agganis, 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 Constantinos Agganis shall have the same citizenship status as that which existed immediately prior to its loss.

Constantinos Agganis.

66 Stat. 268.
8 USC 1481.

8 USC 1421.

8 USC 1448.

Approved October 27, 1965.

Private Law 89-152

October 27, 1965
[H. R. 2005]

AN ACT
For the relief of Miss Gloria Seborg.

Gloria Seborg.
66 Stat. 235.
8 USC 1401 *et seq.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of title III of the Immigration and Nationality Act, Miss Gloria Seborg, admitted to the United States for permanent residence on November 5, 1954, shall be held to have complied with the residential and physical presence requirements of section 316 of the said Act.

Approved October 27, 1965.

Private Law 89-153

October 27, 1965
[H. R. 2285]

AN ACT
For the relief of Mrs. Concetta Cioffi Carson.

Concetta Cioffi Carson.
66 Stat. 182.
8 USC 1182.

72 Stat. 1445.
10 USC 1071-1085.
8 USC 1183.

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)(3) of the Immigration and Nationality Act, Mrs. Concetta Cioffi Carson may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That unless the beneficiary is entitled to care under chapter 55 of title 10 of the United States Code, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further*, 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 October 27, 1965.

Private Law 89-154

October 27, 1965
[H. R. 2557]

AN ACT
For the relief of Frank Simms.

Frank Simms.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Frank Simms of North Chicago, Illinois, is relieved of liability to pay to the United States the sum of $349.80, representing the aggregate amount of overpayments of compensation made to him by the Department of the Navy (during the period beginning May 13, 1962, and ending September 26, 1964) as a result of an administrative error in the adjustment of his pay rate. 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 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 Frank Simms, 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 October 27, 1965.

Private Law 89-155

AN ACT

For the relief of Maria Alexandros Siagris.

October 27, 1965
[H. R. 2757]

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 Alexandros Siagris may be classified as an eligible orphan 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. Alexandros Siagris, citizens of the United States, pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

Maria Alexandros Siagris.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved October 27, 1965.

Private Law 89-156

AN ACT

For the relief of Hwang Tai Shik.

October 27, 1965
[H. R. 3288]

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, Hwang Tai Shik may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Loyd James Elroy Romo and Freda Lorene Romo, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Hwang Tai Shik.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved October 27, 1965.

Private Law 89-157

AN ACT

For the relief of Emilia Majka.

October 27, 1965
[H. R. 3669]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Emilia Majka, the widow 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 205 of that Act shall be inapplicable in her case.

Emilia Majka.

Ante, p. 916.
8 USC 1101.
8 USC 1155.

Approved October 27, 1965.

Private Law 89-158

October 27, 1965
[H. R. 3770]

AN ACT

For the relief of certain individuals employed by the Department of the Navy at the Pacific Missile Range, Point Mugu, California.

Donald M. Baker, 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, 1959 through 1964, as a civilian employee of the Department of the Navy at the Pacific Missile Range, Point Mugu, California, 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 the Navy 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
Baker, Donald M	$340.00
Baldonado, Ernest C	226.40
Ballinger, Ben C	168.78
Bell, Lloyd A	115.20
Blackwood, Adams G	199.20
Blayney, Walter L., Junior	138.40
Brauer, William E	207.22
Brewer, Kenneth R	168.00
Brewer, Max R	81.28
Breyer, Theodore J	115.20
Brickley, Cecil E	168.00
Bright, Donald R	782.34
Burch, J. D	91.20
Carter, Norman S	340.00
Chiellon, Hector J	739.20
Clark, Harold A	318.73
Cowley, James A	137.60
Cox, Arthur C., Junior	19.44
Day, James H	97.60
Devine, Lloyd W	91.20
Dick, Perry K	149.60
Domes, William J	124.80
Doran, Gerald F	8.80
Doran, Lawrence B	28.00
Dragoo, Norman R	91.20
Duncan, Robert E	36.10
Duryea, Leon K	66.40
Ellis, Edgar C	274.40
Ellison, Silas W	272.63
Ferguson, Francis, Junior	85.60
Fox, J. L	234.40
Fraser, Thomas A	260.00
Gallagher, Warren L	279.20
Gustafson, John G	25.60
Hall, James B	56.00
Hansen, Loren R	79.20
Hayden, Edgar H	104.80
Higginson, Leo T	33.60
Hollan, John E	137.92
Hopwood, Arthur E	193.60
Hutton, Sidney D	149.60
James, Anthony B	79.84
Jensen, Carl O	176.00
Johnston, Robert L	205.60

Name	Amount of overpayment
Kline, Robert A	$67.20
Knapp, Thomas R	340.00
Lake, Robert A	25.60
Lary, Benjamin E., Junior	97.60
Lee, Robert E	212.80
Lienemann, Lee Roy D	139.89
Lopert, Robert C	304.80
Lucier, Robert L	341.69
Lukshis, Edward R	340.79
Lundy, John O	72.80
McCarty, Michael	148.80
McDaniel, Dale Z	234.96
McQueen, Russell O	161.60
Magasis, Arthur	175.04
Martin, Alex	212.80
Mayo, Van S	104.80
Morris, Paul W	378.20
Norton, Walter T., II	97.60
Oakley, Gerald E	243.89
Pratt, William G., Junior	30.05
Preciado, Ruben H	107.20
Rice, William G	112.00
Riley, Merle H., Junior	91.20
Roberts, Bernard L	343.83
Rockwell, Duane D	199.54
Seaglione, Samuel F	200.53
Selva, Adolph	59.20
Sessions, Alma G	212.80
Smith, Charles E	162.92
Steffen, Maynard G	746.40
Thorpe, Carl O	277.60
Tucker, George D	105.44
Tucker, Gordon L	51.20
Turner, Robert E., Junior	57.60
Valencia, Albert J	104.80
Valencia, Robert R	212.00
Varela, Alfred	817.60
Villarreal, Philip R	144.52
Vogus, William D	52.00
Walker, Jesse J	86.24
Young, Chester C	114.11

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 October 27, 1965.

Private Law 89-159

October 27, 1965
[H. R. 4078]

AN ACT

For the relief of William L. Minton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William L. Minton, of Tacoma, Washington, Navy service number 533-9801, is hereby relieved of liability to the United States in the amount of $241, the amount of his liability to the United States for overpayments of per diem during the period August 16, 1960, to April 13, 1961, while he was serving as a member of the United States Navy. In the audit and settlement of the accounts of any certifying or disbursing officer

William L. Minton.

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 William L. Minton, 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 October 27, 1965.

Private Law 89-160

October 27, 1965
[H. R. 4203]

AN ACT

For the relief of Alton G. Edwards.

Alton G. Edwards.

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 Alton G. Edwards, of Orlando, Florida, the sum of $348.23. The payment of such sum shall be in full settlement of his claims against the United States for reimbursement of the amount paid by him in full settlement of the judgment rendered against him on June 20, 1963, by the Small Claims Court of Orange County, Florida, arising out of a vehicular accident on September 10, 1960, involving a mailtruck being operated by him as an employee of the United States 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.

Approved October 27, 1965.

Private Law 89-161

October 28, 1965
[H. R. 1409]

AN ACT

For the relief of Louis W. Hann.

Louis W. Hann.

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 Louis W. Hann, of Orange, New Jersey, the sum of $1,422.13 in full settlement of all his claims against the United States for the amount he was required to pay to the United States for transporting the excess weight of his household goods from Stuttgart, Germany, to Orange, New Jersey, during 1961, after being improperly separated from his position as a civilian employee of the Department of the Army. 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 28, 1965.

Private Law 89-162

October 29, 1965
[H. R. 1644]

AN ACT

For the relief of First Lieutenant Robert B. Gann, and others.

Lt. Robert B. Gann, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the individuals named in this Act is relieved of all liability to the United States in the amount shown opposite his name representing overpayments of compensation made to him as a Marine Corps officer as the result of administrative error in the establishment of his pay entry base date due to the fact that each of them held enlisted status concurrent with status as a midshipman and was given credit for such enlisted service in the establishment of his pay entry base date. The overpayments in each instance relieved by this Act are as follows:

Name and serial number	Amount of overpayment
First Lieutenant Robert B. Gann, O79902	$2,041.22
First Lieutenant Thomas A. White, O81799	2,317.32
First Lieutenant Denton Lotz, O82092	1,585.61
First Lieutenant Willard E. Slack, O82898	814.30
First Lieutenant Carl R. Sawyer, Junior, O79837	2,411.18
First Lieutenant Lynn A. Hale, O79537	2,265.18
First Lieutenant Carl R. Ingebretsen, O79543	1,067.69
First Lieutenant Donnie L. Darrow, O79529	3,250.36
First Lieutenant Steve R. Balash, Junior, O79519	2,629.00
First Lieutenant Karl Rippelmeyer, O79560	2,542.48

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 1 of this Act, the sum certified to him by the Secretary of the Navy 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 referred to in the first section of this Act.

SEC. 3. 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 October 29, 1965.

Private Law 89-163

October 29, 1965
[H. R. 4137]

AN ACT

For the relief of Doctor Jan Rosciszewski.

Dr. Jan Rosciszewski.
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 purpose of the Immigration and Nationality Act, Doctor Jan Rosciszewski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1959.

Approved October 29, 1965.

Private Law 89-164

October 29, 1965
[H. R. 4194]

AN ACT

For the relief of Angelica Anagnostopoulos.

Angelica Anagnostopoulos.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

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, Angelica Anagnostopoulos may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition filed in her behalf by Mrs. Audrey T. Sanner, a citizen of the United States, may be approved pursuant to section 205(b) of that Act, subject to all the conditions in that section relating to eligible orphans.

Approved October 29, 1965.

Private Law 89-165

October 29, 1965
[H. R. 4464]

AN ACT

For the relief of Michael Hadjichristofas, Aphrodite Hadjichristofas and Paniote Hadjichristofas.

Michael, Aphrodite and Paniote Hadjichristofas.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

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, Michael Hadjichristofas and Aphrodite Hadjichristofas may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the Act, upon approval of petitions filed in their behalf by Mr. and Mrs. Edward J. Terzian, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

8 USC 1153.

SEC. 2. For the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Paniote Hadjichristofas shall be held and considered to be the natural-born alien son of Mr. and Mrs. Edward J. Terzian, citizens of the United States: *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 3. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in these cases.

Approved October 29, 1965.

Private Law 89-166

AN ACT

October 29, 1965
[H. R. 8350]

For the relief of the successors in interest of Cooper Blyth and Grace Johnston Blyth otherwise Grace McCloy Blyth.

Cooper and Grace J. Blyth.

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 return to Barclays Bank Limited, 54 Lombard Street, London, E.C. 3, as executor under the will of Cooper Blyth, deceased, the sum of $654.73, representing the proceeds of fifteen shares of capital stock of the National City Bank of New York evidenced by certificate numbered CTF 155563, which were vested under vesting order 11122, dated April 26, 1948.

Approved October 29, 1965.

Private Law 89-167

AN ACT

October 30, 1965
[S. 337]

For the relief of F. F. Hintze.

F. F. Hintze.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That F. F. Hintze, 112 University Street, Salt Lake City, Utah, is relieved of all liability to the United States with respect to accrued rentals in the amount of $1,280.00 claimed to be due the United States under oil and gas lease, serial Cheyenne 066038.

Approved October 30, 1965.

Private Law 89-168

AN ACT

October 30, 1965
[S. 343]

For the relief of Paride Marchesan.

Paride Marchesan.

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, Paride Marchesan may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act, and a petition may be filed in behalf of the said Paride Marchesan by Master Sergeant and Mrs. Harry Simpson, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.

8 USC 1155.

Approved October 30, 1965.

Private Law 89-169

AN ACT

October 30, 1965
[S. 374]

For the relief of Doctor Guillermo Castrillo (Fernandez).

Dr. Guillermo Castrillo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Guillermo Castrillo (Fernandez) may be naturalized upon compliance with all of the requirements of title III of the Immigration and

66 Stat. 235. 8 USC 1401 *et seq.*

Nationality Act, except that no period of residence or physical presence within the United States or any State shall be required, in addition to his residence and physical presence within the United States since September 17, 1960.

Approved October 30, 1965.

Private Law 89-170

October 30, 1965 [S. 711]

AN ACT

For the relief of Mrs. Hertha L. Wohlmuth.

Hertha L. Wohlmuth. 50 USC app. 32.

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 32(a)(2)(D) of the Trading With the Enemy Act, Mrs. Hertha L. Wohlmuth of Munich, Bavaria, United States Zone, shall be held and considered to have been a United States citizen at all times since December 7, 1941, and any notice of claim filed under such Act by the said Mrs. Hertha L. Wohlmuth within six months after the enactment of this Act shall be deemed to be timely filed.

Approved October 30, 1965.

Private Law 89-171

October 30, 1965 [S. 2039]

AN ACT

For the relief of Ken Allen Keene (Yasuo Tsukikawa).

Ken Allen Keene. *Ante*, p. 916. 8 USC 1155.

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 205(c), relating to the number of petitions which may be approved in behalf of eligible orphans, shall be inapplicable in the case of a petition filed in behalf of Ken Allen Keene (Yasuo Tsukikawa) by Mr. and Mrs. C. D. Keene, citizens of the United States.

Approved October 30, 1965.

Private Law 89-172

October 30, 1965 [H. R. 1386]

AN ACT

To provide for the free entry of one mass spectrometer for the use of Pomona College.

Pomona College.

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 one mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) for the use of Pomona College, Claremont, California.

SEC. 2. If the liquidation of the entry of any article described in the first section of this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved October 30, 1965.

Private Law 89-173

AN ACT

For the relief of Maxie L. Rupert.

October 30, 1965
[H. R. 2578]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Maxie L. Rupert of Battle Creek, Michigan, is hereby relieved of liability to the United States in the amount of $1,344, the amount of overpayments of salary between December 10, 1962, and June 23, 1963, resulting from a promotion in violation of section 1310(c) of the Act of November 1, 1951 (5 U.S.C. 43 note). 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.

Maxie L. Rupert.

65 Stat. 758.

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 Maxie L. Rupert, 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 October 30, 1965.

Private Law 89-174

AN ACT

To provide for the free entry of a mass spectrometer for the use of Saint Louis University.

October 30, 1965
[H. R. 4832]

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 authorized and directed to admit free of duty one mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) for the use of Saint Louis University, Saint Louis, Missouri.

St. Louis University.

(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved October 30, 1965.

Private Law 89-175

AN ACT

To provide for the free entry of an isotope separator for the use of Princeton University, Princeton, New Jersey.

October 30, 1965
[H. R. 8272]

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 authorized and directed to admit free of duty

Princeton University.

the isotope separator (and its accompanying equipment, parts, accessories, and appurtenances) imported for the use of Princeton University, Princeton, New Jersey, during June 1964.

(b) If the liquidation of the entry of the articles described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved October 30, 1965.

Private Law 89-176

October 30, 1965
[H. R. 8646]

AN ACT

For the relief of Rifkin Textiles Corporation.

Rifkin Textiles Corp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the time limitation prescribed by section 520 of the Tariff Act of 1930 (19 U.S.C. 1520) or any other statute of limitation, the consumption entries made on behalf of Rifkin Textiles Corporation of New York, New York, and set out in subsection (b), may be reliquidated in accordance with the law applicable as of the date such entries where made and refund of duties may be made in accordance with such reliquidation if application for such reliquidation is made within one year after the date of enactment of this Act.

(b) The consumption entries referred to in subsection (a) and the date on which each such entry was liquidated are as follows:

Consumption entry:	Date of liquidation
703863	December 3, 1962
703862	December 3, 1962
703861	December 3, 1962
710358	November 26, 1962
737255	December 3, 1962
717256	December 3, 1962
717258	December 3, 1962
716333	December 3, 1962
720089	December 10, 1962
709287	November 30, 1962

Approved October 30, 1965.

Private Law 89-177

October 30, 1965
[H. R. 9588]

AN ACT

To provide for the free entry of an electrically driven rotating chair for the use of the Louisiana State University Medical Center, New Orleans, Louisiana.

Louisiana State University Medical Center.

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 one electrically driven rotating chair (and the control unit and other equipment accompanying such chair) for the use of the Louisiana State University Medical Center, New Orleans, Louisiana.

SEC. 2. If the liquidation of the entry of any article described in the first section of this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved October 30, 1965.

Private Law 89-178

AN ACT

For the relief of Mrs. Maria Eduvigis Aran Heffernan.

October 31, 1965
[H. R. 1393]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Maria Eduvigis Aran Heffernan, the widow 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 205 of that Act shall not be applicable in this case.

Maria Eduvigis Aran Heffernan.

Ante, p. 916.
8 USC 1101, 1155.

Approved October 31, 1965.

Private Law 89-179

AN ACT

For the relief of Manlio Massimiliani.

October 31, 1965
[H. R. 2762]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Manlio Massimiliani, 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 Manlio Massimiliani shall have the same citizenship status as that which existed immediately prior to its loss.

Manlio Massimiliani.

66 Stat. 268.
8 USC 1481.

8 USC 1421.

8 USC 1448.

Approved October 31, 1965.

Private Law 89-180

AN ACT

For the relief of Mrs. Lily Ning Sheehan.

October 31, 1965
[H. R. 2906]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Lily Ning Sheehan, the widow 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 205 of that Act shall not be applicable in this case.

Lily Ning Sheehan.

Ante, p. 916.
8 USC 1101, 1155.

Approved October 31, 1965.

Private Law 89-181

AN ACT

To provide for the free entry of one mass spectrometer for the University of Washington.

October 31, 1965
[H. R. 3126]

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 authorized and directed to admit free of duty one mass spectrometer (including all accompanying equipment, parts,

University of Washington.

accessories, and appurtenances) for the use of the University of Washington.

(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved October 31, 1965.

Private Law 89-182

October 31, 1965
[H. R. 6312]

AN ACT

For the relief of Mario Menna.

Mario Menna.

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 laws, Mario Menna shall be deemed to be within the purview of section 1 of the Act of October 24, 1962 (76 Stat. 1247).

8 USC 1153 notes.

Approved October 31, 1965.

Private Law 89-183

October 31, 1965
[H. R. 6655]

AN ACT

For the relief of Pieter Cornelis Metzelaar.

Pieter Cornelis Metzelaar.

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, Pieter Cornelis Metzelaar 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 October 31, 1965.

Private Law 89-184

October 31, 1965
[H. R. 6720]

AN ACT

For the relief of Ping-Kwan Fong.

Ping-Kwan Fong.

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, Ping-Kwan Fong shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 24, 1947.

66 Stat. 163.
8 USC 1101 note.

Approved October 31, 1965.

Private Law 89-185

October 31, 1965
[H. R. 7282]

AN ACT

For the relief of Richard D. Walsh.

Richard D. Walsh.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Richard D. Walsh, of Rochester, New York, is relieved of liability to the United States in the amount of $137.10, representing the amount of an allotment which was paid on his behalf for the month of November 1961,

while he was on active duty in the Army, for which no corresponding deduction was made 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 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 Richard D. Walsh, an amount equal to the aggregate of the amounts paid by him in satisfaction of liability to the United States for which relief is granted by 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 31, 1965.

Private Law 89-186

AN ACT

For the relief of Doctor Felipe V. Lavapies.

October 31, 1965
[H. R. 7357]

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 Felipe V. Lavapies 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.

Dr. Felipe V. Lavapies.

SEC. 2. For the purposes of title III of the Immigration and Nationality Act, Doctor Felipe V. Lavapies shall be deemed to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence.

66 Stat. 235.
8 USC 1401 *et seq.*
8 USC 1427.

Approved October 31, 1965.

Private Law 89-187

AN ACT

To provide for the free entry of one automatic steady state distribution machine for the use of the University of Oklahoma, Norman, Oklahoma.

October 31, 1965
[H. R. 7608]

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 authorized and directed to admit free of duty one automatic steady state distribution machine for the use of the University of Oklahoma, Norman, Oklahoma.

University of Oklahoma.

(b) If the liquidation of the entry of the article 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 October 31, 1965.

Private Law 89-188

October 31, 1965
[H. R. 8135]

AN ACT

For the relief of Jennifer Rebecca Siegel.

Jennifer Rebecca Siegel.

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, Jennifer Rebecca Siegel may be classified as an eligible orphan 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 Siegel, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved October 31, 1965.

Private Law 89-189

October 31, 1965
[H. R. 10256]

AN ACT

For the relief of James D. W. Blyth, his wife, Jean Mary Blyth, and their daughter, Penelope Jean Blyth.

James D.W., Jean Mary, and Penelope Jean Blyth.

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, James D. W. Blyth, his wife, Jean Mary Blyth, and their daughter, Penelope Jean Blyth, shall be held and considered to have complied with the requirements of section 316 of the Act as they relate to residence and physical presence.

66 Stat. 242.
8 USC 1427.

Approved October 31, 1965.

Private Law 89-190

October 31, 1965
[H. R. 10292]

AN ACT

For the relief of Hilda Shen Tsiang.

Hilda Shen Tsiang.
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, Hilda Shen Tsiang 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 October 31, 1965.

Private Law 89-191

November 1, 1965
[H. R. 1218]

AN ACT

For the relief of T. W. Holt and Company and/or Holt Import and Export Company.

T. W. Holt and Co.

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 T. W. Holt and Company and/or Holt Import and Export Company, the sum of $8,478.19. The payment of such sum shall be in full satisfaction of the claim of the said T. W. Holt and Company and/or Holt Import and Export Company against the United States for repayment of excessive customs duties erroneously collected by the Bureau of Customs on canned meat imports from Argentina, which were imported by the said T. W. Holt and Company and/or Holt Import and Export Company between December 8, 1948, and July 3, 1950, and on which the customs duties were liquidated between January 9, 1951, and January 6, 1953: *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 1, 1965.

Private Law 89-192

November 1, 1965
[H. R. 5217]

AN ACT

To permit the vessel Little Nancy to be documented for use in the coastwise trade.

"Little Nancy".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 27 of the Merchant Marine Act of 1920, as amended (46 U.S.C. 883), the vessel now known as the Little Nancy (ex-Sea Boots), owned by David L. Francis of Huntington, West Virginia, shall be entitled to be documented to engage in the fisheries and the coastwise trade upon compliance with the usual requirements, so long as such vessel is from the date of enactment of this Act continuously owned by a citizen of the United States. For the purposes of this Act, the term "citizen of the United States" includes corporations, partnerships, and associations, but only those which are citizens of the United States within the meaning of section 2 of the Shipping Act, 1916.

Approved November 1, 1965.

Private Law 89-193

November 1, 1965
[H. R. 6906]

AN ACT

To provide for the free entry of one mass spectrometer and one split pole spectrograph for the use of the University of Rochester, Rochester, New York.

University of Rochester.

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 authorized and directed to admit free of duty one mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) and one split pole spectrograph (including all accompanying equipment, parts, accessories, and appurtenances) for the use of the University of Rochester, Rochester, New York.

(b) If the liquidation of the entry of any article 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 1, 1965.

Private Law 89-194

November 1, 1965
[H. R. 7453]

AN ACT

For the relief of Margaret Elizabeth and Frederick Henry Todd.

Margaret E. and Frederick H. Todd.

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, for the purposes of the Immigration and Nationality Act, Margaret Elizabeth Todd and Frederick Henry Todd 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 1, 1965.

Private Law 89-195

November 1, 1965
[H. R. 8232]

AN ACT

To provide for the free entry of one mass spectrometer-gas chromatograph for the use of Oklahoma State University, Stillwater, Oklahoma.

Oklahoma State University.

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 authorized and directed to admit free of duty a mass spectrometer-gas chromatograph (including all accompanying equipment, parts, accessories, and appurtenances) for the use of Oklahoma State University.

(b) If the liquidation of the entry of the article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved November 1, 1965.

Private Law 89-196

November 1, 1965
[H. R. 9351]

AN ACT

To provide for the free entry of one shadomaster measuring projector for the use of the University of South Dakota.

University of South Dakota.

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 one shadomaster measuring projector (and its accompanying parts and equipment) for the use of the University of South Dakota.

SEC. 2. If the liquidation of the entry of any article described in this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved November 1, 1965.

Private Law 89-197

November 1, 1965
[H. R. 9587]

AN ACT

To provide for the free entry of a Craig countercurrent distribution apparatus for the use of Colorado State University, Fort Collins, Colorado.

Colorado State University.

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 authorized and directed to admit free of duty the Craig countercurrent distribution apparatus (and its accompany-

ing parts and equipment) imported for the use of Colorado State University, Fort Collins, Colorado, which was entered during February 1963 pursuant to consumption entry 1136.

(b) If the liquidation of the entry of the articles described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved November 1, 1965.

Private Law 89-198

November 2, 1965
[H. R. 1317]

AN ACT

To provide for the free entry of a mass spectrometer which was imported during May 1963 for the use of Stanford University, Stanford, California.

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 authorized and directed to admit free of duty the mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) imported for the use of Stanford University, Stanford, California, which was entered during May 1963, pursuant to Consumption Entry 3970.

Stanford University.

(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved November 2, 1965.

Private Law 89-199

November 2, 1965
[H. R. 2565]

AN ACT

To provide for the free entry of one mass spectrometer for the use of the University of Chicago.

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 authorized and directed to admit free of duty one mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) for the use of the University of Chicago.

University of Chicago.

(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved November 2, 1965.

Private Law 89-200

November 2, 1965
[H. R. 3905]

AN ACT

For the relief of Bibi Daljeet Kaur.

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, Bibi Daljeet Kaur may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Rattan Singh Dhillon and Kartar Kaur Dhillon, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

Bibi Daljeet Kaur.

Ante, p. 917.
8 USC 1101.
8 USC 1155.

Approved November 2, 1965.

Private Law 89-201

November 2, 1965
[H. R. 4088]

AN ACT

For the relief of Irving M. Sobin Chemical Company, Incorporated.

Irving M. Sobin Chemical Co., Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, conditioned upon the abandonment of certain protests as listed in subdivision (c) below, relief from the payment of certain customs duties shall be granted the Irving M. Sobin Chemical Company, Incorporated, of Boston, Massachusetts, as follows:

(a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Irving M. Sobin Chemical Company, Incorporated, of Boston, Massachusetts, the sum of $11,216.02 in full settlement of all its claims against the United States for repayment of excessive customs duties collected by the Bureau of Customs on imported sodium perborate entered by or for the account of the said Irving M. Sobin Chemical Company, Incorporated, between September 15, 1954, and June 20, 1961, entries of which were liquidated between June 27, 1956, and December 8, 1961, as follows:

Consumption entry No.	Date of entry	Port of entry
938	September 8, 1958	Norfolk, Virginia.
1439	October 6, 1958	Do.
1841	October 31, 1958	Do.
2155	November 21, 1958	Do.
2729	December 29, 1958	Do.
3382	February 9, 1959	Do.
3777	March 9, 1959	Do.
4280	April 3, 1959	Do.
4051	March 24, 1959	Do.
4902	May 7, 1959	Do.
5378	June 5, 1959	Do.
5763	June 25, 1959	Do.
499	July 27, 1959	Do.
1183	August 31, 1959	Do.
1944	October 15, 1959	Do.
2323	November 2, 1959	Do.
2805	December 2, 1959	Do.
3073	December 17, 1959	Do.
4008	February 11, 1960	Do.
4300	February 26, 1960	Do.
5025	April 11, 1960	Do.
5246	April 20, 1960	Do.
33362	February 19, 1959	Los Angeles, California.
24891	April 11, 1958	San Francisco, California.
32173	June 30, 1958	Do.
8483	September 22, 1958	Do.
11552	December 17, 1957	Boston, Massachusetts.
4684	September 8, 1958	Do.
15867	January 21, 1959	Do.
519	July 7, 1959	Do.
3142	August 4, 1959	Do.
8208	September 28, 1959	Do.
10700	October 27, 1959	Do.
14087	December 2, 1959	Do.
33218	June 20, 1960	Do.
21286	February 27, 1961	Do.

Consumption entry No.	Date of entry	Port of entry
305	September 15, 1954	Charleston, South Carolina.
1536	April 7, 1958	Do.
1822	May 29, 1958	Do.
1998	June 26, 1958	Do.
185	July 29, 1958	Do.
379	August 21, 1958	Do.
486	September 10, 1958	Do.
960	November 17, 1958	Do.
1313	January 2, 1959	Do.
1640	February 10, 1959	Do.
1863	March 6, 1959	Do.
2040	March 26, 1959	Do.
2300	April 21, 1959	Do.
2677	May 26, 1959	Do.
3008	June 25, 1959	Do.
320	July 31, 1959	Do.
684	August 31, 1959	Do.
1003	September 30, 1959	Do.
2788	February 24, 1960	Do.
2995	March 9, 1960	Do.
3297	April 5, 1960	Do.
3677	May 5, 1960	Do.
3774	May 16, 1960	Do.
4026	June 7, 1960	Do.
4171	June 16, 1960	Do.
326	August 1, 1960	Do.
368	August 5, 1960	Do.
443	August 15, 1960	Do.
4151	April 29, 1958	Norfolk, Virginia.
255	August 10, 1960	Mobile, Alabama.
20023	January 12, 1959	San Francisco, California.
32734	May 11, 1959	Do.
9905	September 17, 1959	Do.
21620	December 8, 1959	Do.
671	October 28, 1959	Wilmington, North Carolina.
688	October 30, 1959	Do.
850	November 30, 1959	Do.
948	December 14, 1959	Do.
1014	December 29, 1959	Do.
1243	February 5, 1960	Do.
1555	March 22, 1960	Do.
1619	March 31, 1960	Do.
1746	April 13, 1960	Do.
2054	May 25, 1960	Do.
139	July 25, 1960	Do.
194	August 4, 1960	Do.

(b) The collectors of customs at the various ports of entry shall waive the collection of unpaid assessments of liquidated increased duties, totaling $3,216.19, due from the said Irving M. Sobin Chemical Company, Incorporated, with respect to the following entries:

Consumption entry No.	Date of entry	Port of entry
6044	June 6, 1960	Norfolk, Virginia.
6273	June 20, 1960	Do.
50	July 5, 1960	Do.
278	July 18, 1960	Do.
1877	October 10, 1960	Do.
255	August 10, 1960	Mobile, Alabama.
22526	March 13, 1961	Boston, Massachusetts.
25710	April 17, 1961	Do.
25711	April 17, 1961	Do.
27184	May 1, 1961	Do.
28977	May 19, 1961	Do.
30377	June 2, 1961	Do.
31962	June 20, 1961	Do.
4255	June 30, 1960	Charleston, South Carolina.
309	July 28, 1960	Do.
830	September 22, 1960	Do.
924	September 29, 1960	Do.
1122	October 14, 1960	Do.
1224	October 27, 1960	Do.

(c) *Provided*, That the said Irving M. Sobin Chemical Company, Incorporated, shall abandon its protests before the United States Customs Court claiming relief from assessments of increased duties, totaling $3,604.90, with respect to the following entries:

Consumption entry No.	Date of entry	Port of entry
4151	April 29, 1958	Norfolk, Virginia.
255	August 10, 1960	Mobile, Alabama.
20023	January 12, 1959	San Francisco, California.
32734	May 11, 1959	Do.
9905	September 17, 1959	Do.
21620	December 8, 1959	Do.
671	October 28, 1959	Wilmington, North Carolina.
688	October 30, 1959	Do.
850	November 30, 1959	Do.
948	December 14, 1959	Do.
1014	December 29, 1959	Do.
1243	February 5, 1960	Do.
1555	March 22, 1960	Do.
1619	March 31, 1960	Do.
1746	April 13, 1960	Do.
2054	May 25, 1960	Do.
139	July 25, 1960	Do.
194	August 4, 1960	Do.

(2) No part of the amount appropriated, or of the unpaid amounts forgiven, in this Act in excess of 10 percent 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, 1965.

Private Law 89-202

AN ACT

For the relief of Diosdado F. Almazan.

November 2, 1965
[H. R. 5006]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Diosdado F. Almazan, who lost United States citizenship under the provisions of section 401(e) of the Nationality Act of 1940, 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 Diosdado F. Almazan shall have the same citizenship status as that which existed immediately prior to its loss.

Diosdado F. Almazan.

54 Stat. 1137, 66 Stat. 280.

8 USC 1421.

8 USC 1448.

Approved November 2, 1965.

Private Law 89-203

AN ACT

For the relief of Nora Isabella Samuelli.

November 7, 1965
[S. 619]

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, Nora Isabella Samuelli shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 31, 1963, 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.

Nora Isabella Samuelli.

66 Stat. 163.

8 USC 1101 note.

Approved November 7, 1965.

Private Law 89-204

AN ACT

For the relief of Mrs. Eleni Bacola Ciacco, doctor of medicine.

November 7, 1965
[H. R. 3079]

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, Mrs. Eleni Bacola Ciacco, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 19, 1957.

Dr. Eleni Bacola Ciacco.

66 Stat. 163.

8 USC 1101 note.

Approved November 7, 1965.

Private Law 89-205

AN ACT

For the relief of Becky Jo and Charles R. Smith.

November 7, 1965
[H. R. 8353]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Becky Jo and Charles R. Smith, 1112 North Walnut Avenue, Kannapolis, North

Becky Jo and Charles R. Smith.

Carolina, are relieved of all liability to refund to the United States the sum of $198.10, representing an overpayment of class Q allotment for May 1964, due to an error in computation by the United States Army. 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.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Becky Jo and Charles R. Smith the amount certified by the Secretary of the Army as the aggregate amount paid to the United States by the said Becky Jo and Charles R. Smith, or withheld by the United States from amounts due them, on account of the liability referred to in the first section of this Act: *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 7, 1965.

Private Law 89-206

November 8, 1965
[H. R. 2303]

AN ACT

For the relief of Ernest J. Carlin.

Ernest J. Carlin.

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 Ernest J. Carlin, postal employee of Montrose, Pennsylvania, there shall be added a separate account of one hundred and thirty-three hours of annual leave, in full settlement of all claims of the said Ernest J. Carlin against the United States for compensation for the loss of such leave which was earned by him in the period November 14, 1959, through January 4, 1963, while he was employed in the United States Post Office in Montrose, Pennsylvania, 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 Ernest J. Carlin. 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 Ernest J. Carlin is separated by death or otherwise from the Federal service.

Approved November 8, 1965.

Private Law 89-207

November 8, 1965
[H. R. 2571]

AN ACT

For the relief of Ralph S. DeSocio, Junior.

Ralph S. DeSocio, Jr.

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 Ralph S. DeSocio, Junior, of Pine City, New York, the sum of $1,500 in full settlement of all claims of Ralph S. DeSocio, Junior, against the United States for reimbursement of amounts to be paid in settlement of judgments against him obtained in the Supreme Court, State of New York, county of Chemung, as a result of a motor vehicle collision on December 22, 1958, in Elmira, New York, between a privately owned vehicle and a Government 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 accordance with the settlement referred to herein in full and final satisfaction of the judgments obtained against Ralph S. DeSocio, Junior: *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 8, 1965.

Private Law 89-208

November 8, 1965
[H. R. 6666]

AN ACT

To provide for the free entry of a ninety-centimeter split-pole magnetic spectrograph system with orange-peel internal conversion spectrometer attached for the use of the University of Pittsburgh.

University of Pittsburgh.

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 authorized and directed to admit free of duty one ninety-centimeter split-pole magnetic spectrograph system with orange-peel internal conversion spectrometer attached for the use of the University of Pittsburgh, Pittsburgh, Pennsylvania.

(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved November 8, 1965.

Private Law 89-209

November 8, 1965
[H. R. 9903]

AN ACT

To provide for the free entry of certain scientific instruments for the use of certain universities.

Scientific instruments for certain universities.

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 authorized and directed to admit free of duty one multigap magnetic spectrograph and one MS–9 mass spectrometer (including in each case all accompanying equipment, parts, accessories, and appurtenances) for the use of Yale University.

(b) The Secretary of the Treasury is authorized and directed to admit free of duty one digital polarimeter for the use of Smith College.

(c) The Secretary of the Treasury is authorized and directed to admit free of duty one photomicroscope (including all accompanying equipment, parts, accessories, and appurtenances) for the use of the Utah State Training School.

(d) The Secretary of the Treasury is authorized and directed to admit free of duty one Weissenberg rheogoniometer for the use of the Catholic University of America.

(e) The Secretary of the Treasury is authorized and directed to admit free of duty one double focusing mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) for the use of Ohio State University.

SEC. 2. If the liquidation of the entry of any article described in the first section of this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

Approved November 8, 1965.

Private Law 89-210

November 8, 1965
[H. R. 10097]

AN ACT

For the relief of North Counties Hydro-Electric Company.

North Counties Hydro-Electric Co.

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 North Counties Hydro-Electric Company of Illinois, the sum of $187,058, in full satisfaction of all claims of such company against the United States for damages to its powerplant and dam at Dayton, Illinois, sustained as the result of a dam built by the United States on the Illinois River, at Starved Rock near Ottawa, Illinois. The United States Court of Claims in Congressional Numbered 2-59 entitled North Counties Hydro-Electric Company, a corporation of Illinois against the United States (decided on April 16, 1965) held that the amount due the plaintiff from the United States is $187,058: *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 8, 1965.

Private Law 89-211

November 8, 1965
[H. R. 10878]

AN ACT

For the relief of Anderson G Matsler, senior master sergeant, United States Air Force, retired.

S. M. Sgt. Anderson G. Matsler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Senior Master Sergeant Anderson G Matsler, United States Air Force, retired, is relieved of all liability to refund to the United States the sum of $810.74 representing the amount of overpayments of longevity pay he received during the period May 21, 1946, through December 31, 1962, due to an 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 section.

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 Senior Master Sergeant Anderson G Matsler, 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 November 8, 1965.

Private Law 89-212

November 8, 1965
[S. 149]

AN ACT

For the relief of Benjamin A. Ramelb.

Benjamin A. Ramelb.

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 court-appointed guardian of Benjamin A. Ramelb, of Waialua, Oahu, Hawaii, the sum of $50,000 in full settlement of all the claims against the United States of the said Benjamin A. Ramelb arising out of injuries he received when struck by a United States Army truck at Waialua, on July 2, 1944. The said injuries caused damage to the brain resulting in total and permanent disability: *Provided*, That no part of the amount appropriated in this section in excess of $1,500 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. That, additionally, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nicholas Ramelb, father of Benjamin A. Ramelb, the sum of $5,000 in full settlement of all his claims against the United States for expenses incurred in providing necessities for his son, Benjamin A. Ramelb, since the said Benjamin A. Ramelb attained his majority. 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 November 8, 1965.

49-850 O-66-92

Private Law 89-213

November 8, 1965
[S. 919]

AN ACT

For the relief of Lieutenant Colonel William T. Schuster, United States Air Force (retired).

Lt. Col. William T. Schuster.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant Colonel William T. Schuster, United States Air Force (retired), is hereby relieved of all liability for repayment to the United States of the sum of $3,771.33, representing the amount of overpayments of longevity pay received by the said Lieutenant Colonel William T. Schuster (retired), for the period from December 27, 1941, through October 2, 1959, 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 Lieutenant Colonel William T. Schuster (retired), 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 November 8, 1965.

Private Law 89-214

November 8, 1965
[S. 1647]

AN ACT

For the relief of Kim Sung Jin.

Kim Sung Jin.

Ante, p. 912.
8 USC 1153, 1155.

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 205 of the Immigration and Nationality Act, Kim Sung Jin shall be held and considered to be the natural-born alien son of Mr. and Mrs. Joe Sims, Junior, citizens of the United States: *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Approved November 8, 1965.

CONCURRENT RESOLUTIONS

CONCURRENT RESOLUTIONS

FIRST SESSION, EIGHTY-NINTH CONGRESS

January 4, 1965
[H. Con. Res. 1]

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 January 4, 1965, 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 4, 1965.

January 4, 1965
[S. Con. Res. 1]

ELECTORAL VOTE COUNT

Joint meeting.

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Wednesday, the 6th day of January 1965, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President pro tempore of the Senate shall be their presiding officer; that two tellers shall be previously appointed by the President pro tempore of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President pro tempore of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President pro tempore of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Agreed to January 4, 1965.

January 4, 1965
[H. Con. Res. 5]

COMMITTEE FOR INAUGURAL ARRANGEMENTS

Continuation.
78 Stat. 1207.

Resolved by the House of Representatives (the Senate concurring), That effective from January 3, 1965, the joint committee created by Senate Concurrent Resolution 71, of the Eighty-eighth Congress, to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on the 20th day of January 1965, is hereby continued and for such purpose shall have the same power and authority as that conferred by such Senate Concurrent Resolution 71, of the Eighty-eighth Congress.

Passed January 4, 1965.

February 11, 1965
[H. Con. Res. 282]

JOHN F. KENNEDY—"YEARS OF LIGHTNING, DAY OF DRUMS"—FILM

Whereas the city of Boston will dedicate its new Civic War Memorial Auditorium during the week beginning February 21, 1965; and

Whereas this auditorium will be a living memorial to residents of Boston who have served in the Armed Forces of the United States; and

Whereas military, religious, and civic organizations will participate in appropriate memorial exercises: Now, therefore, be it

Available for viewing at dedication ceremonies.

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States Information Agency should make appropriate arrangements to make the film prepared by it on the late President Kennedy, "Years of Lightning, Day of Drums", available for viewing at the dedication ceremonies of the new Civic War Memorial Auditorium in the city of Boston, Massachusetts, to be held during the week beginning February 21, 1965.

Passed February 11, 1965.

March 11, 1965
[S. Con. Res. 2]

JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Establishment. Membership.

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a Joint Committee on the Organization of the Congress (hereinafter referred to as the committee) to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the Members representing each House, taken separately.

Study and recommendations.

SEC. 2. The committee shall make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities

under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress; and the structure of, and the relationships between, the various standing, special, and select committees of the Congress: *Provided*, That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedure, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House: *Provided further*, That the language employed herein shall not prohibit the committee from studying and recommending the consolidations and reorganization of committees.

Powers.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Eighty-ninth Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

Expenses.

(c) The expenses of the committee, which shall not exceed $150,000 through January 31, 1966, shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

Reports to Congress.

(d) The committee shall report from time to time to the Senate and the House of Representatives the results of its study, together with its recommendations, the first report being made not later than one hundred and twenty days after the effective date of this concurrent resolution. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the committee shall, when received, be referred to the Committee on Rules and Administration of the Senate and the appropriate committees of the House.

Agreed to March 11, 1965.

March 11, 1965
[S. Con. Res. 9]

REVEREND PETER MARSHALL'S PRAYERS

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed thirty-two thousand two hundred and fifty additional copies of Senate Document Numbered 86, Eighty-first Congress, first session, being the prayers offered by the Chaplain, the Reverend Peter Marshall, doctor of divinity, at the opening of the daily sessions of the Senate of the United States during the Eightieth and Eighty-first Congresses, 1947–1949; of which ten thousand three hundred copies shall be for the use of the Senate and twenty-one thousand nine hundred and fifty copies shall be for the use of the House of Representatives.

Agreed to March 11, 1965.

March 15, 1965
[H. Con. Res. 352]

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 Monday, March 15, 1965, 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 March 15, 1965.

March 29, 1965
[H. Con. Res. 7]

"CODE OF ETHICS" FOR GOVERNMENT SERVICE

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed an additional 13,550 copies of House Document Numbered 103 of the Eighty-sixth Congress in the style and format directed by the Joint Committee on Printing; 2,575 of such copies shall be for the use of the Senate and 10,975 of such copies shall be for the use of the House of Representatives.

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 March 29, 1965.

March 29, 1965
[H. Con. Res. 83]

STATUE OF SAM RAYBURN–PRESENTATION, DEDICATION, AND ACCEPTANCE PROCEEDINGS

Printing as House document.

Resolved by the House of Representatives (the Senate concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of Sam Rayburn, presented by the Texas State Society in the Rayburn Building, together with appropriate illustrations and other pertinent matter, shall be printed as a House document. The copy for such House document shall be prepared under the supervision of the Joint Committee on Printing.

Additional copies.

SEC. 2. There shall be printed ten thousand additional copies of such House document, which shall be bound in such style as the Joint Committee on Printing shall direct, of which one thousand copies shall be for the use of the Senate and nine thousand copies shall be for the use of the House of Representatives, to be prorated for a period of sixty days, after which the unused balance shall revert to the respective Senate and House Document Rooms.

Passed March 29, 1965.

March 29, 1965
[H. Con. Res. 125]

INAUGURAL ADDRESSES, FROM PRESIDENT GEORGE WASHINGTON TO PRESIDENT LYNDON B. JOHNSON

Printing as House document; additional copies.

Resolved by the House of Representatives (the Senate concurring), That a collection of inaugural addresses, from President George Washington to President Lyndon B. Johnson, compiled from research volumes and State papers by the Legislative Reference Service, Library of Congress, be printed with illustrations as a House document; and that sixteen thousand one hundred and twenty-five additional copies be printed, of which ten thousand nine hundred and seventy-five copies shall be for the use of the House of Representatives, and five thousand one hundred and fifty copies for the use of the Senate.

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 March 29, 1965.

March 29, 1965
[H. Con. Res. 153]

TRIBUTES TO SIR WINSTON CHURCHILL

Resolved by the House of Representatives (the Senate concurring), That there be printed with illustrations as a House document all remarks by Members of the Senate and House of Representatives in the Halls of Congress which constitute tributes to the life, character, and public service of the late Sir Winston Churchill. The copy for such House document shall be prepared under the supervision of the Joint Committee on Printing.

Printing as House document.

SEC. 2. In addition to the usual number, there shall be printed five thousand eight hundred and sixty additional copies of such House document, of which one thousand and five hundred copies shall be for the use of the Senate, and four thousand three hundred and sixty copies shall be for the use of the House of Representatives.

Additional copies.

Passed March 29, 1965.

March 29, 1965
[H. Con. Res. 167]

REAL PROPERTY ACQUISITION IN
FEDERAL PROGRAMS, COMPENSATION STUDY

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 a study made by that committee of compensation and assistance for persons affected by real property acquisition in Federal and federally assisted programs.

Printing of additional copies.

Passed March 29, 1965.

March 29, 1965
[H. Con. Res. 338]

DEPARTMENT OF STATE
WHITE PAPER RELATING TO NORTH VIETNAM

Resolved by the House of Representatives (the Senate concurring), That (a) there be printed as a House document the Department of State White Paper, issued February 17, 1965, relating to North Vietnam's campaign to conquer South Vietnam (Department of State Publication 7839). The copy for such House document shall be prepared under the supervision of the Joint Committee on Printing.

Printing as House document.

(b) In addition to the usual number, there shall be printed sixty-three thousand six hundred additional copies of such House document of which twenty thousand shall be for the use of the Senate, and forty-three thousand six hundred for the use of the House of Representatives.

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 March 29, 1965.

April 8, 1965
[S. Con. Res. 30]

DR. JONAS SALK AND
NATIONAL FOUNDATION MARCH OF DIMES

Whereas April 12, 1965, is the tenth anniversary of one of the most significant medical achievements of our time, Doctor Jonas Salk's development of a successful vaccine against poliomyelitis; and

Whereas, in the ten years since the introduction of the Salk vaccine, there has been a 99 per centum reduction in the number of cases of polio in the United States; and

Whereas this dread disease which once attacked as many as fifty-seven thousand Americans in a single year and made the summer months a time of fear and apprehension for parents across the Nation has now been eliminated as a public health problem; and

Whereas this great medical victory was won through a unique partnership between the American people and medical scientists like Doctor Salk, under the auspices of the National Foundation March of Dimes, and with the outstanding cooperation of the United States Public Health Service; and

Whereas a leading example of how this partnership is continuing and expanding is the Salk Institute for Biological Studies in La Jolla, California; and

Whereas this institute was conceived as a research center where scientists of international reputation could come and map out the high strategy of man's fight for health; and

Whereas Doctor Salk and his colleagues from all over the world are now at work on projects aimed at discovering the basic concepts of life itself; and

Whereas from this research can flow the specific methods to control disease and to promote the health and better understanding of man and his full potential: Now be it

Congratulations and expression of gratitude.

Resolved by the Senate (the House of Representatives concurring), That Doctor Jonas Salk and the National Foundation March of Dimes be congratulated on this tenth anniversary of the announcement of the world's first effective vaccine against polio, that the Nation express its gratitude to Doctor Salk and to his colleagues concerned with this historic discovery and to the Foundation and that our confidence be expressed that the work of the National Foundation March of Dimes—specifically its fight against birth defects—and of the Salk Institute for Biological Studies will bring about the blessings of better health for our society and all its citizens.

Agreed to April 8, 1965.

April 13, 1965
[H. Con. Res. 97]

"OUR AMERICAN GOVERNMENT. WHAT IS IT? HOW DOES IT FUNCTION?"

Printing as House document; additional copies.

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 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.

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 April 13, 1965.

INTER-AMERICAN BAR ASSOCIATION, FOURTEENTH CONFERENCE

April 29, 1965
[H. Con. Res. 349]

Whereas the Inter-American Bar Association was organized at Washington, District of Columbia, May 16, 1940, and is now celebrating the twenty-fifth anniversary of its founding; and

Whereas the Inter-American Bar Association will hold its fourteenth conference at San Juan, Puerto Rico, during the period May 22–29, 1965; and

Whereas this is the first time that the Inter-American Bar Association has planned a conference in the Commonwealth of Puerto Rico; and

Whereas three previous conferences of the association have been held in the United States; and

Whereas the purposes of the association, as stated in its constitution, are to establish and maintain relations between associations and organizations of lawyers, national and local, in the various countries of the Americas, to provide a forum for exchange of views, and to encourage cordial intercourse and fellowship among the lawyers of the Western Hemisphere; and

Whereas the high character of this international association, its deliberations, and its members can do much to encourage understanding, friendship, and cordial relations among the countries of the Western Hemisphere; and

Whereas there were adopted by the Eightieth Congress, in its second session, and by the Eighty-sixth Congress, in its first session, concurrent resolutions of welcome and good wishes to the Inter-American Bar Association on the occasion of its holding conferences in the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States welcomes the Inter-American Bar Association during its fourteenth conference to be held in the Commonwealth of Puerto Rico, and wishes the association outstanding success in accomplishing its purposes; and be it further

Welcome and good wishes.

Resolved, That a copy of this resolution be transmitted to the Secretary General of the Inter-American Bar Association.

Passed April 29, 1965.

DAG HAMMARSKJOLD MEMORIAL REDWOOD GROVE

May 4, 1965
[H. Con. Res. 305]

Whereas the Dag Hammarskjold International Foundation, the American Association for the United Nations, the State of California Dag Hammarskjold Memorial Grove Committee and numerous cooperating groups including the Save-the-Redwoods League are carrying forward the proposal for a Dag Hammarskjold Memorial Redwood Grove; and

Whereas the life of Dag Hammarskjold was in concordance with the deep and pervading majesty of the redwoods, among which we find spiritual refuge and gain a more profound realization of his own thought that "we each have within us a center of stillness surrounded by silence," and

Whereas Dag Hammarskjold, until his death on September 17, 1961, served eight years as Secretary-General of the United Nations, car-

rying on his widely significant and courageous search for world peace; and

Whereas by their very grandeur the giant redwoods imbue us with a stronger realization of human dignity, tolerance, and stateliness so characteristic of Dag Hammarskjold's life: Now, therefore, be it

Designation.

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that it is appropriate to designate a grove of redwood trees as selected by the State of California, as the Dag Hammarskjold Memorial Redwood Grove.

Passed May 4, 1965.

May 10, 1965
[H. Con. Res. 165]

"HOW OUR LAWS ARE MADE"

Printing as House document; additional copies.

Resolved by the House of Representatives (the Senate concurring), That the brochure entitled "How Our Laws Are Made", by Doctor Charles J. Zinn, law revision counsel of the House of Representatives Committee on the Judiciary, as set out in House Document 103 of the Eighty-eighth Congress, be printed as a House document, with emendations by the author and with a foreword by Honorable Edwin E. Willis; and that there be printed one hundred sixty-three thousand additional copies of such document, of which one hundred thirty-two thousand shall be for the use of the House of Representatives and thirty-one thousand shall be for the use of the Senate.

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 House and Senate Document Rooms.

Passed May 10, 1965.

May 10, 1965
[S. Con. Res. 27]

"CATALOG OF FEDERAL AIDS TO STATE AND LOCAL GOVERNMENTS–SUPPLEMENT, JANUARY 4, 1965"

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations sixty thousand additional copies of its committee print of the Eighty-ninth Congress, first session, entitled "Catalog of Federal Aids to State and Local Governments—Supplement, January 4, 1965", a study prepared by the Legislative Reference Service of the Library of Congress for the Subcommittee on Intergovernmental Relations.

Agreed to May 10, 1965.

May 20, 1965
[H. Con. Res. 383]

"THE CONSTITUTION OF THE UNITED STATES OF AMERICA"

Printing as House document; additional copies.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document "The Constitution of the United States of America", as amended (pocket-sized edition); and that there shall be printed sixty-four thousand five hundred additional copies of such document, of which forty-three thousand nine hundred copies shall be for the use of the House of Representatives and twenty thousand six hundred copies shall be for the use of the Senate. Such copies 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 May 20, 1965.

JOHN F. KENNEDY–"YEARS OF LIGHTNING, DAY OF DRUMS"–FILM

June 3, 1965
[H. Con. Res. 426]

Whereas the graduates of Harvard University, Cambridge, Massachusetts, of the class of 1940, will be observing the twenty-fifth anniversary of their graduation during the days of June 13–June 17, 1965; and

Whereas the late beloved President of these United States, John Fitzgerald Kennedy, was a member of the class of 1940 and was held by his classmates in deep bonds of respect, loyalty, and affection; and

Whereas the class book memorializing this occasion is dedicated to John Fitzgerald Kennedy: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring therein), That it is the sense of Congress that the United States Information Agency should make appropriate arrangements to make the film prepared by it on the late President Kennedy "Years of Lightning, Day of Drums," available for viewing at a private showing to said Harvard University class of 1940, in the city of Cambridge, Massachusetts, on or about the days of June 13–June 17, 1965.

Available for viewing at class reunion.

Passed June 3, 1965.

CORRECTION OF ENROLLED BILL H.R. 8371

June 17, 1965
[H. Con. Res. 442]

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. 8371) to reduce excise taxes, and for other purposes, is authorized and directed to strike out "gasoline" in the new section 6424(b)(2) added by section 202(b) of the bill and to insert in lieu thereof "lubricating oil".

Ante, p. 136.

Passed June 17, 1965.

UNITED NATIONS–TWENTIETH ANNIVERSARY

June 22, 1965
[S. Con. Res. 36]

Whereas the year 1965 marks the twentieth anniversary of the United Nations, which will be celebrated in San Francisco on June 26, 1965; and

Whereas the United Nations General Assembly has designated the year 1965 as "International Cooperation Year"; and

Whereas the President of the United States has proclaimed 1965 as "International Cooperation Year", and has set up a broad program within the executive branch to review our present international policies in cooperation with a bipartisan group of distinguished private citizens; and

Whereas the President has charged those participating in the International Cooperation Year program to "search and explore and canvass and thoroughly discuss every conceivable approach and avenue of cooperation that could lead to peace"; and

Whereas the International Cooperation Year program will culminate in a White House Conference on International Cooperation which the President has announced he will convene in November 1965; and

Whereas during the twenty years of its existence the United Nations has played an important, and at times crucial, role in pursuit of one of its stated purposes "to save succeeding generations from the

scourge of war, which twice in our lifetime has brought untold sorrow to mankind"; and

Whereas during that time the United Nations has also performed a valuable service through the specialized agencies and otherwise in helping to establish human rights and to eliminate those ancient enemies of mankind—hunger, poverty, disease, and ignorance: Now, therefore, be it

Rededication.

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States of America rededicates itself to the principles of the United Nations and to the furtherance of international cooperation within the framework of law and order; and that all other members of the United Nations are urged to do likewise.

SEC. 2. It is further the sense of the Congress that in connection with the examination for International Cooperation Year of United States participation in international cooperative activities, the executive branch should—

(1) review with a high sense of urgency the current state of international peacekeeping machinery with a view to making specific suggestions for strengthening this machinery, (2) review other major elements of international community and cooperation with a view to making specific suggestions to promote the growth of institutions of international cooperation and law and order, and (3) review urgently the status of disarmament negotiations with a view to further progress in reducing the dangers and burden of competitive national armaments.

White House Conference on International Cooperation, provision for congressional participation.

SEC. 3. In order to provide for participation by the Congress in the White House Conference on International Cooperation, subject to an invitation by the President, there is hereby created a congressional delegation of twelve members to be composed of six members of the Senate appointed by the President pro tempore of the Senate and six members of the House of Representatives appointed by the Speaker of the House of Representatives. Any vacancy in the membership of the delegation shall be filled in the same manner as in the case of the original appointments.

Agreed to June 22, 1965.

June 28, 1965
[S. Con. Res. 40]

CORRECTION OF ENROLLED BILL S. 1229

Ante, p. 213.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of the bill (S. 1229), to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, is authorized and directed to strike out the words "Act of 1965" in the last line of subsection (h) of section 6.

Agreed to June 28, 1965.

July 7, 1965
[H. Con. Res. 400]

"DOCUMENTS ILLUSTRATIVE OF THE FORMATION OF THE UNION OF THE AMERICAN STATES"

Reprinting.

Resolved by the House of Representatives (the Senate concurring), That there shall be reprinted three thousand copies of House Document Numbered 398 of the Sixty-ninth Congress, first session, entitled

"Documents Illustrative of the Formation of the Union of the American States", of which five hundred and fifteen copies shall be for the use of the Senate, two thousand one hundred and ninety-five copies for the use of the House of Representatives, and two hundred and ninety copies for the use of the Joint Committee on Printing.

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 July 7, 1965.

"COMMUNIST ACTIVITIES IN THE BUFFALO, NEW YORK, AREA"

July 7, 1965 [H. Con. Res. 411]

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities three thousand additional copies of the publication entitled "Communist Activities in the Buffalo, New York, Area," Eighty-eighth Congress, first session.

Passed July 7, 1965.

COMMITTEE ON UN-AMERICAN ACTIVITIES, ANNUAL REPORT FOR 1963

July 7, 1965 [H. Con. Res. 412]

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities five thousand additional copies of the committee's annual report for the year 1963, House Report 1739, Eighty-eighth Congress, second session.

Passed July 7, 1965.

"VIOLATION OF STATE DEPARTMENT REGULATIONS AND PRO-CASTRO PROPAGANDA ACTIVITIES IN THE UNITED STATES, PARTS 1 THROUGH 5"

July 7, 1965 [H. Con. Res. 413]

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities five thousand additional copies of each part of "Violation of State Department Regulations and Pro-Castro Propaganda Activities in the United States, Parts 1 Through 5."

Passed July 7, 1965.

"COMMUNIST ACTIVITIES IN THE MINNEAPOLIS, MINNESOTA, AREA"

July 7, 1965 [H. Con. Res. 414]

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities three thousand additional copies of the publication entitled "Communist Activities in the Minneapolis, Minnesota, Area," Eighty-eighth Congress, second session.

Passed July 7, 1965.

July 7, 1965
[H. Con. Res. 415]

"SINO-SOVIET CONFLICT AND ITS IMPLICATIONS"

Printing as House document; additional copies.

Resolved by the House of Representatives (the Senate concurring), That the document entitled "Sino-Soviet Conflict and Its Implications", 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 14, 1965, be printed as a House document and that an additional three thousand five hundred copies be printed for the use of the Committee on Foreign Affairs of the House of Representatives.

Passed July 7, 1965.

July 7, 1965
[H. Con. Res. 428]

"HISTORY OF THE UNITED STATES HOUSE OF REPRESENTATIVES", REVISED EDITION

Printing as House document.

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document a revised edition of the publication entitled "History of the United States House of Representatives", and that there be printed twenty-one thousand nine hundred and fifty additional copies to be prorated to the Members of the House of Representatives for a period of sixty days, after which the unused balance shall revert to the House document room.

Passed July 7, 1965.

July 30, 1965
[H. Con. Res. 364]

"THE CAPITOL", REVISED EDITION

Printing as House document.

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document, with illustrations, a revised edition of "The Capitol"; and that four hundred and sixty-nine thousand additional copies shall be printed, of which four hundred and thirty-nine thousand copies shall be for the use of the House of Representatives and thirty thousand copies shall be for the use of the Joint Committee on Printing.

Passed July 30, 1965.

July 30, 1965
[H. Con. Res. 456]

PUBLIC LAW 89-97—SOCIAL SECURITY AMENDMENTS OF 1965

Printing of additional copies.

Ante, p. 286.

Resolved by the House of Representatives (the Senate concurring), That there be printed thirty thousand additional copies of the public law containing the social security amendments enacted in 1965 pursuant to H.R. 6675; of which twenty-two thousand five hundred copies shall be for the House document room, five thousand copies shall be for the Senate document room, two thousand copies shall be for the use of the Committee on Ways and Means, and five hundred copies shall be for the use of the Committee on Finance.

Passed July 30, 1965.

August 6, 1965
[H. Con. Res. 100]

RAW SILK AND SILK NOILS—DISPOSAL

60 Stat. 597.
50 USC 98b.

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)),

the disposal of approximately one hundred and thirteen thousand five hundred pounds of raw silk and approximately nine hundred and sixty-nine thousand five hundred pounds of silk noils from the national stockpile.

Passed August 6, 1965.

SUBCOMMITTEE ON NATIONAL SECURITY STAFFING AND OPERATIONS HEARINGS

August 17, 1965
[S. Con. Res. 11]

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations three thousand additional copies of the hearings (including brief staff studies thereon) held by its Subcommittee on National Security Staffing and Operations during the Eighty-eighth Congress.

Agreed to August 17, 1965.

HEARINGS ON ECONOMIC CONCENTRATION, ETC., PART 1

August 17, 1965
[S. Con. Res. 37]

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary two thousand additional copies of part 1 of the hearings held by its Subcommittee on Antitrust and Monopoly during the Eighty-eighth Congress, second session, on economic concentration and its overall and conglomerate aspects.

Agreed to August 17, 1965.

"THE SOVIET EMPIRE–A STUDY IN DISCRIMINATION AND ABUSE OF POWER"

August 17, 1965
[S. Con. Res. 38]

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary five thousand additional copies of its committee print of the Eighty-ninth Congress, first session, entitled "The Soviet Empire—A Study in Discrimination and Abuse of Power", prepared by the Legislative Reference Service, Library of Congress, at the request of the Internal Security Subcommittee.

Agreed to August 17, 1965.

MAGNESIUM–DISPOSAL

August 23, 1965
[H. Con. Res. 453]

60 Stat. 597.
50 USC 98b.

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), the disposal from the national stockpile of approximately twenty-one thousand five hundred short tons of magnesium contained in primary pigs and alloys.

Passed August 23, 1965.

49-850 O-66-93

August 23, 1965
[H. Con. Res. 454]

DIAMOND DIES AND BISMUTH ALLOYS—DISPOSAL

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), the disposal from the national stockpile of approximately eight thousand three hundred seventy-four pieces of subgrade small diamond dies and approximately thirty-six thousand five hundred eighty pounds of nonstockpile grade bismuth alloys.

60 Stat. 597.
50 USC 98b.

Passed August 23, 1965.

August 23, 1965
[H. Con. Res. 455]

HYOSCINE—DISPOSAL

Resolved by the House of Representatives (the Senate concurring), That the Congress expressly approves, pursuant to section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), the disposal of approximately two thousand one hundred ounces of hyoscine from the national stockpile.

60 Stat. 597.
50 USC 98b.

Passed August 23, 1965.

August 26, 1965
[S. Con. Res. 44]

"THE COMMISSION ON INTER-GOVERNMENTAL RELATIONS"

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Government Operations ten thousand additional copies of House Document 198 of the Eighty-fourth Congress entitled "The Commission on Intergovernmental Relations."

Printing of additional copies.

Agreed to August 26, 1965.

August 26, 1965
[S. Con. Res. 45]

"CATALOG OF FEDERAL AIDS
TO STATE AND LOCAL GOVERNMENTS"

Resolved by the Senate (the House of Representatives concurring). That there be printed thirty-two thousand additional copies each of the committee prints entitled (1) "Catalog of Federal Aids to State and Local Governments," Eighty-eighth Congress, second session, and (2) "Catalog of Federal Aids to State and Local Governments—Supplement, January 4, 1965," Eighty-ninth Congress, first session; prepared by the Legislative Reference Service, Library of Congress, for the Senate Committee on Government Operations; of which twenty-one thousand nine hundred and fifty copies of each shall be for the use of the House of Representatives, and ten thousand and fifty copies of each shall be for the use of the Senate Committee on Government Operations.

Printing of additional copies.

Agreed to August 26, 1965.

September 10, 1965
[H. Con. Res. 451]

"THE PRAYER ROOM IN THE UNITED STATES CAPITOL"

Resolved by the House of Representatives (the Senate concurring), That there be printed fifty-four thousand two hundred additional copies of House Document Numbered 234 of the Eighty-fourth Congress, entitled "The Prayer Room in the United States Capitol", of which forty-three thousand nine hundred copies shall be for the use

Printing of additional copies.

of the House of Representatives and ten thousand three hundred copies shall be for the use of the Senate.

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 September 10, 1965.

September 10, 1965
[H. Con. Res. 468]

WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Whereas 1965 is International Cooperation Year as proclaimed by the United Nations General Assembly and the President of the United States; and

Whereas this Congress has enacted S. Con. Res. 36 to encourage international cooperation within the framework of law and order; and

Whereas the President has designated September 13, 1965, as World Law Day, a special day for emphasizing the need to strengthen international cooperation through law and legal institutions; and

Whereas September 13, 1965, marks the opening of the Washington World Conference on World Peace Through Law with leading jurists, lawyers, and legal scholars from one hundred and twenty nations meeting in Washington to discuss the development of legal rules and judicial systems for the maintenance of world peace: Now, therefore, be it

Post, p. 1443.
Ante, p. 1429.
Post, p. 1495.

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the people of the United States welcome to their shores the jurists and members of the legal profession of these many nations and will join with them in this important effort to build world peace.

Welcome.

Passed September 10, 1965.

October 18, 1965
[S. Con. Res. 46]

STATUE OF SENATOR DENNIS CHAVEZ–TEMPORARY PLACEMENT

Resolved by the Senate (the House of Representatives concurring), That the Senator Dennis Chavez Statuary Hall Commission is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late Dennis Chavez, of New Mexico, and to hold ceremonies in the rotunda on said occasion, and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

Agreed to October 18, 1965.

October 18, 1965
[S. Con. Res. 47]

STATUE OF SENATOR DENNIS CHAVEZ–ACCEPTANCE

Resolved by the Senate (the House of Representatives concurring), That the statue of the late Dennis Chavez, presented by the State of New Mexico, is accepted in the name of the United States, and that the thanks of Congress be tendered to the State for the contribution of the statue of one of its most eminent citizens, illustrious for his historic renown and distinguished civic services; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of New Mexico.

Agreed to October 18, 1965.

October 18, 1965
[S. Con. Res. 48]

STATUE OF SENATOR DENNIS CHAVEZ–PRESENTATION PROCEEDINGS

Printing as Senate document.

Resolved by the Senate (the House of Representatives concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of Dennis Chavez, to be presented by the State of New Mexico in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

Additional copies.

SEC. 2. There shall be printed five thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and two thousand eight hundred copies shall be for the use of the Members of the Senate from the State of New Mexico, and five hundred copies shall be for the use of the House of Representatives and one thousand six hundred copies shall be for the use of the Members of the House of Representatives from the State of New Mexico.

Agreed to October 18, 1965.

October 21, 1965
[S. Con. Res. 53]

REPORT OF PROCEEDINGS OF CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF

Printing as Senate document; additional copies.

Resolved by the Senate (the House of Representatives concurring), That the report of the proceedings of the forty-second biennial meeting of the Convention of American Instructors of the Deaf, held in Flint, Michigan, June 21–25, 1965, be printed with illustrations as a Senate document; and that five thousand additional copies be printed and bound for the use of the Joint Committee on Printing.

Agreed to October 21, 1965.

October 22, 1965
[S. Con. Res. 49]

SUSPENSIONS OF DEPORTATION

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):

76 Stat. 1247.
8 USC 1254.

A–8249034, Pilch, Jan.
A–4291563, Placzkiewicz, Stanley James.
A–12358710, Hoy, Hom Fook.
A–2563752, Ninomiya, Issaku.
A–4291730, Palumbo, John.
A-5972279, Rieger, Ferenz.
A-4262857, Rosen, Morris.
A–7962109, Tomczak, Michael.
A-1149855, Bohun, Sil.
A-5829164, Gricus, Franciskus.
A-4986241, Jiminez-Gomez, Rafael.
A-11199183, Kong, Dunn Chong.
A-11928583, Louie, King Fong.
A-4169178, Mejia-Cortes, Anacleto.
A-1614102, Rosenberg, Ben.
A-13165758, Wong, Wing Art.
A-4705363, Lubin, Irving.

A-3840332, Sanchez-Monroy, Jose.
A-5055592, de la Trinidad-Berroteran, Jesus.
A-1565564, Vargas-Barrera, Pedro.
A-7930331, Altman, Nathan.
A-7222730, Bach, Harry.
A-10162061, Goon, Phillip Que.
A-12360130, Som, Tom.
A-5848373, Arroyo-Olague, Pedro.
A-6777333, Cornez, Edward A.
A-4360830, Pulido-Hernandez, Julie.
A-3925714, Sobona, Karl.
A-13020489, Suey, Fun Jung.
A-6008514, Vda De Delgado, Antonia Rios.
A-5399916, Pospasil, Rose Antoinette.
A-5621715, Remenyfy, Alajas Aladar.

Agreed to October 22, 1965.

October 22, 1965
[S. Con. Res. 62]

VETERANS' READJUSTMENT ASSISTANCE HEARINGS

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Labor and Public Welfare two thousand additional copies of the hearings held by its Subcommittee on Veterans' Affairs during the Eighty-ninth Congress, first session, on S. 9, a bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

Agreed to October 22, 1965.

October 22, 1965
[S. Con. Res. 63]

HEARINGS ON ECONOMIC CONCENTRATION, VOLUMES 2 AND 3

Printing of additional copies.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary two thousand additional copies of volume 2 and volume 3 of the hearings held by its Subcommittee on Antitrust and Monopoly during the Eighty-ninth Congress, first session, on economic concentration.

Agreed to October 22, 1965.

October 22, 1965
[S. Con. Res. 65]

"THE ANTI-VIETNAM AGITATION AND THE TEACH-IN MOVEMENT"

Printing as Senate document.

Resolved by the Senate (the House of Representatives concurring), That the pamphlet entitled "The Anti-Vietnam Agitation and the Teach-In Movement", prepared for the use of the Subcommittee on Internal Security of the Senate Committee on the Judiciary, be printed as a Senate document.

Additional copies.

SEC. 2. There shall be printed twenty-two thousand nine hundred and seventy-five additional copies, of which ten thousand copies shall be for the use of the Senate Committee on the Judiciary, ten thousand nine hundred and seventy-five copies shall be for the use of the House of Representatives, and two thousand copies shall be for the House Document Room.

Agreed to October 22, 1965.

October 22, 1965
[S. Con. Res. 67]

CORRECTION OF ENROLLED BILL S. 919

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 919) for the relief of Lieutenant Colonel William T. Schuster, United States Air Force (retired), the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the said bill, to make the following corrections, namely, on line 5, page 1, strike out "$4,153.83" and insert in lieu thereof "$3,771.33", and on line 9, page 1, strike out "August 31, 1960" and insert in lieu thereof "October 2, 1959".

Agreed to October 22, 1965.

October 22, 1965
[H. Con. Res. 448]

CRUSADE FOR SAFETY DAY—PROCLAMATION AUTHORIZATION

Resolved by the House of Representatives (the Senate concurring), That the President is authorized and requested to issue a proclamation designating November 26, 1965, as Crusade for Safety Day and calling upon the people of the United States to observe such day with appropriate ceremonies and activities designed to reduce traffic accidents.

Passed October 22, 1965.

October 22, 1965
[H. Con. Res. 509]

HEARINGS AND REPORT ON
CRIME IN THE DISTRICT OF COLUMBIA

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on the District of Columbia, House of Representatives, one thousand additional copies each of the hearings held by that committee in the Eighty-eighth Congress on crime legislation for the District of Columbia; the hearings held jointly by the House District of Columbia Committee and the Senate District of Columbia Committee in the Eighty-eighth Congress on crime in the District of Columbia; and House Report Numbered 176 of the Eighty-ninth Congress, entitled "District of Columbia Crime".

Passed October 22, 1965.

October 22, 1965
[H. Con. Res. 512]

HEARING ON HOME RULE FOR THE DISTRICT OF COLUMBIA

Printing of additional copies.

Resolved by the House of Representatives (the Senate Concurring), That there be printed for the use of the Committee on the District of Columbia two thousand additional copies of the hearing held by that committee during the current session on home rule for the District of Columbia.

Passed October 22, 1965.

October 22, 1965
[H. Con. Res. 513]

HEARING ON "LOWER COLORADO RIVER BASIN PROJECT"

Printing of additional copies.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Interior and Insular Affairs, House of Representatives, twenty-five hundred additional copies of the committee hearing entitled "Lower Colorado River Basin Project", Eighty-ninth Congress, first session.

Passed October 22, 1965.

HEARINGS TO AMEND THE IMMIGRATION AND NATIONALITY ACT

October 22, 1965
[H. Con. Res. 519]

Printing of additional copies.

Ante, p. 911.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Committee on the Judiciary of the House of Representatives six thousand additional copies of the hearings before Subcommittee Numbered 1 of the Committee on the Judiciary of the House of Representatives on H.R. 2580, to amend the Immigration and Nationality Act, and for other purposes, dated March 3, 8, 10, 11, 18, and 31; April 6; May 18, 20, 26, and 27; and June 1, 1965.

Passed October 22, 1965.

SIGNING OF ENROLLED BILLS, ETC.

October 22, 1965
[H. Con. Res. 528]

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, 1965.

ADJOURNMENT SINE DIE

October 23, 1965
[H. Con. Res. 527]

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Saturday, October 23, 1965, and that when they adjourn on said day, they stand adjourned sine die.

Passed October 23, 1965.

PROCLAMATIONS

PROCLAMATIONS

Proclamation 3620

INTERNATIONAL COOPERATION YEAR

October 2, 1964

By the President of the United States of America

A Proclamation

WHEREAS the United Nations General Assembly has designated the year 1965 as International Cooperation Year; and

WHEREAS the year 1965 also marks the twentieth anniversary of the United Nations; and

WHEREAS international cooperation is essential to the achievement of a peaceful world order; and

WHEREAS international organizations are vital in the modern world and provide the necessary foundation for a peaceful world community; and

WHEREAS the world has moved rapidly toward international cooperation and organization in recent years—especially within the family of the United Nations agencies; and

WHEREAS the movement for international cooperation has had, and will continue to have, the enthusiastic support of the Government of the United States of America; and

WHEREAS it is highly desirable to assess this development and examine promptly what further steps can be taken in the immediate future toward enhancing international cooperation and strengthening world organization:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby

—proclaim the year 1965 to be International Cooperation Year in the United States of America;

—rededicate the Government of the United States to the principle of international cooperation; and

—direct the agencies of the Executive Branch to examine thoroughly what additional steps can be taken in this direction in the immediate future.

I also call upon our national citizen organizations to undertake intensive educational programs to inform their memberships of recent

progress in international cooperation and urge them to consider what further steps can be taken.

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 October in the year of our Lord nineteen hundred and sixty-four, and [SEAL] of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3621

COLUMBUS DAY, 1964

October 3, 1964

By the President of the United States of America

A Proclamation

WHEREAS four hundred and seventy-two years ago Christopher Columbus embarked on a daring voyage into an unknown sea and discovered a new world; and

WHEREAS, in the ensuing centuries, the continents of the world have been brought closer together in time and space by means of modern communications and transportation; and

WHEREAS closer relationships between the peoples of the world have increased our awareness of the need for a just and lasting peace; and

WHEREAS the vision, courage, and dedication of Columbus are a constant inspiration to us, both as individuals and as a Nation, as we seek a new world of peace and understanding; and

WHEREAS, in recognition of our debt to Columbus, the Congress of the United States, by a joint resolution approved April 30, 1934 (48 Stat. 657), requested the President to proclaim October 12 of each year as Columbus Day for the observance of the anniversary of the discovery of America:

36 USC 146.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Monday, October 12, 1964, as Columbus Day; and I invite the people of this Nation to observe that day in churches, schools, and other suitable places with appropriate ceremonies in honor of the memory of Christopher Columbus.

I also direct that the flag of the United States be displayed on all public buildings on Columbus Day in honor of the great explorer.

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 October in the year of our Lord nineteen hundred and sixty-four, and of [SEAL] the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

Dean Rusk,
Secretary of State.

Proclamation 3622

WHITE CANE SAFETY DAY, 1964

October 6, 1964

By the President of the United States of America

A Proclamation

A white cane in our society has become one of the symbols of a blind person's ability to come and go on his own. Its use has promoted courtesy and special consideration for the blind on our streets and highways. To make our people more fully aware of the meaning of the white cane, and of the need for motorists to exercise special care for the blind persons who carry it, the Congress, by a joint resolution approved October 6, 1964, has authorized the President to proclaim October 15 of each year as White Cane Safety Day.

78 Stat. 1003.
36 USC 169d.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim October 15, 1964, as White Cane Safety Day.

I urge civic and service organizations, schools, public bodies, and the media of public information to join in this observance with appropriate activities designed to promote continuing awareness of the significance of the white cane to blind persons.

I call upon all our citizens to make every effort to promote the safety and welfare of our blind persons on the streets and highways, and thereby to contribute to their independence of spirit and their capability for self-management.

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 October in the year of our Lord nineteen hundred and sixty-four, and of [SEAL] the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3623

CALIFORNIA WORLD'S FAIR

October 19, 1964

By the President of the United States of America

A Proclamation

WHEREAS the California World's Fair, an international exposition to be held in Southern California in 1968, will be dedicated to the dignity of man, and will depict man's efforts to achieve his aspirations for greater growth, maturity, and dignity; and

WHEREAS the exposition will demonstrate the vital importance of transportation and communication in the achievement of man's aspirations, the roles of the arts, commerce, industry, and the sciences as they affect the lives of mankind, and the contributions of the cultures of the various nations of the earth to man's eternal quest for dignity as exemplified by his physical, mental, and moral attainments; and

WHEREAS the exposition will provide an excellent and effective medium for the exchange of information by which all people may

evaluate the attainments of men of other nations, will encourage tourist travel to the United States, and will stimulate foreign trade; and

78 Stat. 612.

WHEREAS the Congress, by a joint resolution approved August 27, 1964 (Public Law 88–496), has 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

WHEREAS the Governor of California has appointed a Commissioner General of the California World's Fair and will invite the several States of the Union to participate in the Fair:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby invite the several States of the Union and foreign countries to take part in the California World's Fair.

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 nineteenth day of October in the year of our Lord nineteen hundred and sixty-four, [SEAL] and of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3624

NATIONAL FIRST VOTERS WEEK

October 19, 1964

By the President of the United States of America

A Proclamation

On the third day of November next, nearly ten million of our citizens will be eligible to cast their first votes in a Presidential election.

For these young persons, the forthcoming Presidential election will be a significant milestone. For the rest of us, this occasion will be no less important as we welcome a new group of young, vigorous, and forward-looking Americans to a full share in the privileges and responsibilities of free men.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the period October 25 through October 31, 1964, as National First Voters Week.

I urge local election officials, private citizens, and citizen organizations to make a special effort during that week to assist in every possible way the millions of persons who are about to cast their first vote in a Presidential election.

I also urge our first voters to consider seriously during that week the solemn nature of the obligation they are about to assume.

In particular, I urge that our first voters

— go to the polls proudly, knowing that the duty they perform is the price of the privilege they hold

— exercise their franchise gratefully, realizing that it is essential to their future as free men and women

— make their choice carefully, understanding its importance to themselves and 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 nineteenth day of October in the year of our Lord nineteen hundred and sixty-four, [SEAL] and of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3625

ANNOUNCING THE DEATH OF HERBERT HOOVER

By the President of the United States of America

October 20, 1964

A Proclamation

TO THE PEOPLE OF THE UNITED STATES:

It becomes my sad duty to announce officially the death of Herbert Hoover, the thirty-first President of the United States, on the twentieth day of October, nineteen hundred and sixty-four, at 11:35 o'clock in the morning.

Mr. Hoover's service to our country, spanning a period of nearly a half century, was marked by a signal honesty of purpose, a devotion to fundamental principles of ethical conduct, and a deep concern for the welfare of all of his fellow men. Among the rich products of his efforts have been the advancement of the cause of peace, the strengthening of our bonds with other nations, the enrichment of the lives of millions of human beings around the world, and a vital improvement of the operation of this Government. His patriotism knew no partisanship.

A gentle and tolerant man, Mr. Hoover will be long remembered for his humanitarianism, his genuine humility coupled with a determined courage, and the strength of the faith which motivated his actions. He has earned the abiding respect and affection of the people of this Nation and of other nations throughout the world.

We in this country will be joined by his many friends abroad in mourning the death of this truly dedicated American. But we can take comfort in the inspiring legacy of ideals and example of devotion which he has bequeathed to us all.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, in honor and tribute to the memory of this great and good man, and as an expression of the public sorrow, do hereby direct that the flag of the United States be displayed at half-staff at the White House and on all buildings, grounds, and naval vessels of the United States for a period of thirty days. I also direct that for the same length of time the representatives of the United States in foreign countries shall make similar arrangements for the display of the flag at half-staff over their embassies, legations, and other facilities abroad, including all military facilities and stations.

I hereby order that suitable honors be rendered by units of the armed forces under orders of the Secretary of Defense on the day of the funeral.

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 October in the year of our Lord nineteen hundred and sixty-four, [SEAL] and of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3626

IMMIGRATION QUOTA

October 31, 1964

By the President of the United States of America

A Proclamation

66 Stat. 176. 8 USC 1152.

WHEREAS under the provisions of section 202(a) of the Immigration and Nationality Act, each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than independent countries of North, Central, and South America, is entitled to be treated as a separate quota area when approved by the Secretary of State; and

8 USC 1151.

WHEREAS under the provisions of section 201(b) of the Immigration and Nationality Act, the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, are required to determine the annual quota of any quota area established pursuant to the provisions of section 202(a) of the said Act, and to report to the President the quota of each quota area so determined; and

75 Stat. 654. 8 USC 1152.

WHEREAS under the provisions of section 202(e) of the Immigration and Nationality Act, the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, are required to revise the quotas, whenever necessary, to provide for any political changes requiring a change in the list of quota areas; and

WHEREAS on July 6, 1964, the Nyasaland Protectorate, administered by the United Kingdom, became the independent state of Malawi; and

WHEREAS the Secretary of State, the Secretary of Commerce, and the Attorney General have jointly determined and reported to me the immigration quota hereinafter set forth:

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 aforesaid Act of Congress, do hereby proclaim and make known that the annual immigration quota of the quota area hereinafter designated has been determined in accordance with the law to be, and shall be, as follows:

Quota Area	*Quota*
Malawi	100

66 Stat. 163. 8 USC 1101 note.

The establishment of an immigration quota for any quota area is solely for the purpose of compliance with the pertinent provisions of the Immigration and Nationality Act and is not to be considered as having any significance extraneous to such purpose.

Proclamation No. 3298 of June 3, 1959, as amended, entitled "Immigration Quotas," is further amended by the addition of the quota for Malawi.

73 Stat. C59.
8 USC 1151 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 thirty-first day of October in the year of our Lord nineteen hundred and sixty-four and [SEAL] of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3627

THANKSGIVING DAY, 1964

November 13, 1964

By the President of the United States of America

A Proclamation

As the harvest season draws to a close and our storehouses bulge with the bounty of the land, it is our desire to observe, in the custom and tradition of our forebears, a special day dedicated to giving thanks to God—a day on which to lay aside our daily tasks and cares and pay joyous homage to Him. We are impelled to raise our voices in His praise and to proclaim our heartfelt gratitude for another year in which we have been blessed with a bountiful harvest, with intellectual, humanitarian, economic, scientific, and technical advances and achievements, and with other gains too numerous to mention.

Although we have been blessed with unsurpassed prosperity, we recognize that poverty and want exist throughout the world—even among us—and we pledge ourselves to the eradication of those evils.

We know, too, that the foundation for a peaceful world is still to be built and that even now armed strife exists in parts of the world. We are saddened that gallant men of our Armed Services have fallen in the eternal quest for peace with freedom, dignity, and justice for all. We share with their bereaved families and friends a sense of tragic loss. In the words of Abraham Lincoln, we resolve "that these honored dead shall not have died in vain," and vow that their loss will spur us ever onward until man's great dream of universal peace is realized.

Yet we are filled with an instinctive impulse to give thanks for

—our free society of free men, free institutions, and free elections;

—our freedom of speech, our freedom of the press, and our freedom to worship as our conscience dictates;

—our emphasis upon the dignity, equality, and worth of man;

—our humanitarian instincts;

—our unalienable right to life, liberty, and the pursuit of happiness;

—our confidence in our ability to meet the challenges of today and of the future.

For these are the things that set us apart as a Nation—that made our Nation great—that will keep our Nation great.

So as our forefathers in Virginia, in New England, and throughout this land have done for more than three and one-half centuries, let us appoint a special day on which all of us, in keeping with the dictates of our own conscience, will give thanks to the Lord for His manifold blessings. And on that day, let us rededicate ourselves to meeting the challenges of the present with the fortitude and faith with which our forefathers met the challenges of the past.

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 26, 1964, as a day of national thanksgiving.

On that day, let us gather in our homes and in our places of worship and in other suitable places to give thanks to God for His graciousness and His generosity to us—to pledge to Him our everlasting devotion—to beseech His divine guidance and the wisdom and strength to recognize and follow that guidance—and to pray to Him that the forces of evil, violence, indifference, intolerance, and inhumanity may soon vanish from the face of the earth and that peace, reason, understanding, and goodwill may reign supreme 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 13th day of November in the year of our Lord nineteen hundred and sixty-four, and [SEAL] of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3628

WRIGHT BROTHERS DAY, 1964

November 13, 1964

By the President of the United States of America

A Proclamation

WHEREAS Orville and Wilbur Wright made the first successful flights in a powered aircraft on December 17, 1903, near Kitty Hawk, North Carolina; and

WHEREAS these historic flights—and those that followed—have promoted universal understanding by bringing people closer together; and

WHEREAS the Wright brothers provided the initial spark that has made the United States of America the world leader in civilian and military aviation; and

36 USC 169.

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:

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, 1964, 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 13th day of November in the year of our Lord nineteen hundred and sixty-four, and of [SEAL] the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3629

JOHN F. KENNEDY—A REDEDICATION

November 19, 1964

By the President of the United States of America

A Proclamation

In John Kennedy's life he drew guidance from history. In death he has entered and enriched it.

For history is more than the record of man's conflict with nature and himself. It is the knowledge which gives dimension to the present, direction to the future, and humility to the leaders of men. A nation, like a person, not conscious of its own past is adrift without purpose or protection against the contending forces of dissolution.

Thus America will draw continual strength and direction from his story. And the intensity and love with which we celebrate his greatness will be a measure of our own.

He had one quality which we must now strive to share. He saw the world and its problems in all their fantastic complexity. A thousand blending shades of interest and outlook made up a challenge where difficulty was piled upon difficulty and danger upon danger.

Yet he was unshaken in his faith that man's problems could be solved by man, and in his determination to make the effort.

We too must have the courage to confront complexity, never permitting it to sever the nerve of action or dull the edge of faith.

He had qualities of greatness. But it is among the hazards of fortune whether character will join with circumstances to produce great deeds.

It can be said of him, as Thomas Jefferson said of George Washington: "Never did nature and fortune combine more perfectly to make a man great, and to place him in everlasting remembrance."

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do proclaim Sunday, November twenty-second, 1964, a day of national rededication.

On that day, let the word go forth, to friend and foe alike, that the vision of John F. Kennedy still guides the Nation which was the source and the object of his greatness.

In churches and homes everywhere, on November twenty-second, let us rededicate ourselves to the pursuit of those ideals of human dignity in which he believed and whose course he so brilliantly illuminated.

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 nineteenth day of November, in the year of our Lord nineteen hundred and sixty-four, [SEAL] and of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3630

SIR WINSTON CHURCHILL DAY

November 30, 1964

By the President of the United States

A Proclamation

WHEREAS Sir Winston Churchill will celebrate on November 30, 1964 his 90th birthday; and

WHEREAS, in testimony of the American people's deep respect and affection for him, this great national leader and world statesman was, on April 9, 1963, proclaimed an honorary citizen of the United States; and

77 Stat. 994.

WHEREAS, by his courage, vision and leadership, his place in the history of freedom is permanently enshrined; and

WHEREAS, in his own lifetime he has come to embody a statesmanship that serves all men's desires for liberty and human dignity; and

WHEREAS, this significant milestone—in the life of this great man—is deserving of special recognition:

NOW, THEREFORE, I, Lyndon B. Johnson, President of the United States of America, do hereby proclaim Monday, November 30, 1964 Sir Winston Churchill Day.

I invite the people of the United States to mark this event and celebrate the occasion by arranging and participating in appropriate ceremonies worthy of this day.

IN WITNESS WHEREOF, I have herewith 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 November, in the year of our Lord nineteen hundred and sixty-four, [SEAL] and of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

W. AVERELL HARRIMAN,
Acting Secretary of State.

Proclamation 3631

BILL OF RIGHTS DAY

HUMAN RIGHTS DAY

December 1, 1964

By the President of the United States of America

A Proclamation

WHEREAS December 10, 1964, is the sixteenth anniversary of the adoption by the United Nations of the Universal Declaration of Human Rights as a common standard of achievement, and December 15, 1964, is the one hundred and seventy-third anniversary of the first ten amendments to the Constitution of the United States, which are known as the Bill of Rights; and

WHEREAS the Universal Declaration proclaims for the inhabitants of all the world the great rights to freedom, justice, and equality already guaranteed by our Constitution to the people of the United States; and

WHEREAS the worth of our Nation is measured not by the material abundance of our society but by the freedom which gives it purpose; and

WHEREAS the strength of our liberty is measured by the respect each person accords the rights of others and by the vigor of our government in defending these rights; and

WHEREAS the Civil Rights Act of 1964 has renewed and enlarged our commitment to honor the principles of our Constitution, without distinction as to race, color or creed:

78 Stat. 241.
42 USC 2000a note.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim December 10, 1964, as Human Rights Day and December 15, 1964, 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.

This country has survived and prospered mightily in the belief that all men are created equal, that all political power is inherent in the people, and that no man or group of men should be entitled to exclusive privilege or preferment over others. We have worked hard and long, at home and abroad, that every man may enjoy his right to security of person and of property, to freedom of conscience and of press, and to equal justice under law.

In this week especially, let us give thanks for that love of liberty which made human justice and human dignity the foundation stones of our Republic. Let us be quick to speak when a man is threatened because he has exercised his rights, and sturdy to resist when freedom is denied or abridged through ignorance, prejudice, or abuse of power. Let us be worthy of the trust placed in our generation for the integrity of the individual and the full and faithful protection of his inalienable rights.

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 December in the year of our Lord nineteen hundred and sixty-four and of the Independence of the United States of America the one hundred and eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3632

REGULATIONS FOR PREVENTING COLLISIONS AT SEA

December 29, 1964

By the President of the United States of America

A Proclamation

WHEREAS certain regulations designated as Regulations for Preventing Collisions at Sea, 1960, were approved by the International Conference on Safety of Life at Sea, 1960, held at London from May 17 to June 17, 1960; and

33 USC 1051-1094.

WHEREAS the Act of September 24, 1963 (Public Law 88-131, 77 Stat. 194), hereinafter referred to as the Act, authorizes the President of the United States of America to proclaim those regulations, which are set forth in Section 4 of the Act, and to specify the effective date thereof, the regulations to have effect (after the effective date thus specified), as if enacted by statute; and

WHEREAS on March 12, 1964, the Government of the United States of America communicated to the Inter-Governmental Maritime Consultative Organization, as depository agency, its acceptance of the regulations; and

WHEREAS the Government of the United States of America has been notified by the Inter-Governmental Maritime Consultative Organization, as depository agency, that substantial unanimity has been reached as to the acceptance by interested countries, and that it has fixed September 1, 1965, as the date on and after which the regulations shall be applied by the governments which have accepted them; and

33 USC 143-147d.

68 Stat., pt. 2, C4.

33 USC 143 note.

WHEREAS the Act provides that the Regulations for Preventing Collisions at Sea, 1948 (65 Stat. 406), as proclaimed and made effective as of January 1, 1954, by Proclamation No. 3030 of August 15, 1953, shall be of no further force or effect after the effective date proclaimed for the Regulations for Preventing Collisions at Sea, 1960.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, under and by virtue of the authority vested in me by the Act, do hereby proclaim the Regulations for Preventing Collisions at Sea, 1960, as set forth in Section 4 of the Act, which regulations are attached hereto and made a part hereof, and do hereby specify that the effective date thereof shall be September 1, 1965.

Proclamation No. 3030 is superseded effective as of September 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 twenty-ninth day of December in the year of our Lord nineteen hundred and sixty-
[SEAL] four, and of the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

"REGULATIONS FOR PREVENTING COLLISIONS AT SEA

"PART A.—PRELIMINARY AND DEFINITIONS

"Rule 1

"(a) These Rules shall be followed by all vessels and seaplanes upon the high seas and in all waters connected therewith navigable by seagoing vessels, except as provided in Rule 30. Where, as a result of their special construction, it is not possible for seaplanes to comply fully with the provisions of Rules specifying the carrying of lights and shapes, these provisions shall be followed as closely as circumstances permit.

"(b) The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the prescribed lights or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out. The lights prescribed by these Rules may also be exhibited from sunrise to sunset in restricted visibility and in all other circumstances when it is deemed necessary.

"(c) In the following Rules, except where the context otherwise requires—

"(i) the word 'vessel' includes every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water;

"(ii) the word 'seaplane' includes a flying boat and any other aircraft designed to manoeuvre on the water;

"(iii) the term 'power-driven vessel' means any vessel propelled by machinery;

"(iv) every power-driven vessel which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a power-driven vessel;

"(v) a vessel or seaplane on the water is 'under way' when she is not at anchor, or made fast to the shore, or aground;

"(vi) the term 'height above the hull' means height above the uppermost continuous deck;

"(vii) the length and breadth of a vessel shall be her length overall and largest breadth;

"(viii) the length and span of a seaplane shall be its maximum length and span as shown in its certificate of airworthiness, or as determined by measurement in the absence of such certificate;

"(ix) vessels shall be deemed to be in sight of one another only when one can be observed visually from the other;

"(x) the word 'visible', when applied to lights, means visible on a dark night with a clear atmosphere;

"(xi) the term 'short blast' means a blast of about one second's duration;

"(xii) the term 'prolonged blast' means a blast of from four to six seconds' duration;

"(xiii) the word 'whistle' means any appliance capable of producing the prescribed short and prolonged blasts;

"(xiv) the term 'engaged in fishing' means fishing with nets, lines or trawls but does not including fishing with trolling lines.

"PART B.—LIGHTS AND SHAPES

"Rule 2

"(a) A power-driven vessel when under way shall carry—

"(i) On or in front of the foremast, or if a vessel without a foremast then in the forepart of the vessel, a white light so constructed as to show an unbroken light over an arc of the horizon of 225 degrees (20 points of the compass), so fixed as to show the light 112½ degrees (10 points) on each side of the vessel, that is,

from right ahead to 22½ degrees (2 points) abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

"(ii) Either forward or abaft the white light prescribed in sub-section (i) a second white light similar in construction and character to that light. Vessels of less than 150 feet in length shall not be required to carry this second white light but may do so.

"(iii) These two white lights shall be so placed in a line with and over the keel that one shall be at least 15 feet higher than the other and in such a position that the forward light shall always be shown lower than the after one. The horizontal distance between the two white lights shall be at least three times the vertical distance. The lower of these two white lights or, if only one is carried, then that light, shall be placed at a height above the hull of not less than 20 feet, and, if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 40 feet. In all circumstances the light or lights, as the case may be, shall be so placed as to be clear of and above all other lights and obstructing superstructures.

"(iv) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 112½ degrees (10 points of the compass), so fixed as to show the light from right ahead to 22½ degrees (2 points) abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

"(v) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 112½ degrees (10 points of the compass), so fixed as to show the light from right ahead to 22½ degrees (2 points) abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

"(vi) The said green and red sidelights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bows.

"(b) A seaplane under way on the water shall carry—

"(i) In the forepart amidships where it can best be seen a white light, so constructed as to show an unbroken light over an arc of the horizon of 220 degrees of the compass, so fixed as to show the light 110 degrees on each side of the seaplane, namely, from right ahead to 20 degrees abaft the beam on either side, and of such a character as to be visible at a distance of at least 3 miles.

"(ii) On the right or starboard wing tip a green light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

"(iii) On the left or port wing tip a red light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

"Rule 3

"(a) A power-driven vessel when towing or pushing another vessel or seaplane shall, in addition to her sidelights, carry two white lights in a vertical line one over the other, not less than 6 feet apart, and when towing and the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet, shall carry three white lights in a vertical line one over the other, so that the upper and lower lights shall be the same distance from, and not less than 6 feet above or below, the middle light. Each of these lights shall be of the same construction and character and one of them shall be carried in the same position as the white light prescribed in

Rule 2(a)(i). None of these lights shall be carried at a height of less than 14 feet above the hull. In a vessel with a single mast, such lights may be carried on the mast.

"(b) The towing vessel shall also show either the stern light prescribed in Rule 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam.

"(c) Between sunrise and sunset a power-driven vessel engaged in towing, if the length of tow exceeds 600 feet, shall carry, where it can best be seen, a black diamond shape at least 2 feet in diameter.

"(d) A seaplane on the water, when towing one or more seaplanes or vessels, shall carry the lights prescribed in Rule 2(b) (i), (ii) and (iii); and, in addition, she shall carry a second white light of the same construction and character as the white light prescribed in Rule 2(b) (i), and in a vertical line at least 6 feet above or below such light.

"Rule 4

"(a) A vessel which is not under command shall carry, where they can best be seen, and, if a power-driven vessel, in lieu of the lights prescribed in Rule 2(a) (i) and (ii), two red lights in a vertical line one over the other not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each not less than 2 feet in diameter.

"(b) A seaplane on the water which is not under command may carry, where they can best be seen, and in lieu of the light prescribed in Rule 2(b)(i), two red lights in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles, and may by day carry in a vertical line one over the other not less than 3 feet apart, where they can best be seen, two black balls or shapes, each not less than 2 feet in diameter.

"(c) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, or a vessel engaged in replenishment at sea, or in the launching or recovery of aircraft when from the nature of her work she is unable to get out of the way of approaching vessels, shall carry, in lieu of the lights prescribed in Rule 2(a) (i) and (ii), or Rule 7(a)(i), three lights in a vertical line one over the other so that the upper and lower lights shall be the same distance from, and not less than 6 feet above or below, the middle light. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, three shapes each not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

"(d)(i) A vessel engaged in minesweeping operations shall carry at the fore truck a green light, and at the end or ends of the fore yard on the side or sides on which danger exists, another such light or lights. These lights shall be carried in addition to the light prescribed in Rule 2(a)(i) or Rule 7(a)(i), as appropriate, and shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day she shall carry black balls, not less than 2 feet in diameter, in the same position as the green lights.

"(ii) the showing of these lights or balls indicates that it is dangerous for other vessels to approach closer than 3,000 feet astern of the minesweeper or 1,500 feet on the side or sides on which danger exists.

"(e) The vessels and seaplanes referred to in this Rule, when not making way through the water, shall show neither the coloured sidelights nor the stern light, but when making way they shall show them.

"(f) The lights and shapes prescribed in this Rule are to be taken by other vessels and seaplanes as signals that the vessel or seaplane

showing them is not under command and cannot therefore get out of the way.

"(g) These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Rule 31.

"Rule 5

"(a) A sailing vessel under way and any vessel or seaplane being towed shall carry the same lights as are prescribed in Rule 2 for a power-driven vessel or a seaplane under way, respectively, with the exception of the white lights prescribed therein, which they shall never carry. They shall also carry stern lights as prescribed in Rule 10, provided that vessels towed, except the last vessel of a tow, may carry, in lieu of such stern light, a small white light as prescribed in Rule 3(b).

"(b) In addition to the lights prescribed in section (a), a sailing vessel may carry on the top of the foremast two lights in a vertical line one over the other, sufficiently separated so as to be clearly distinguished. The upper light shall be red and the lower light shall be green. Both lights shall be constructed and fixed as prescribed in Rule 2(a)(i) and shall be visible at a distance of at least 2 miles.

"(c) A vessel being pushed ahead shall carry, at the forward end, on the starboard side a green light and on the port side a red light, which shall have the same characteristics as the lights prescribed in Rule 2(a) (iv) and (v) and shall be screened as provided in Rule 2(a)(vi), provided that any number of vessels pushed ahead in a group shall be lighted as one vessel.

"(d) Between sunrise and sunset a vessel being towed, if the length of the tow exceeds 600 feet, shall carry where it can best be seen a black diamond shape at least 2 feet in diameter.

"Rule 6

"(a) When it is not possible on account of bad weather or other sufficient cause to fix the green and red sidelights, these lights shall be kept at hand lighted and ready for immediate use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than 22½ degrees (2 points) abaft the beam on their respective sides.

"(b) To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the lights they respectively contain, and shall be provided with proper screens.

"Rule 7

"Power-driven vessels of less than 65 feet in length, vessels under oars or sails of less than 40 feet in length, and rowing boats, when under way shall not be required to carry the lights prescribed in Rules 2, 3 and 5, but if they do not carry them they shall be provided with the following lights—

"(a) Power-driven vessels of less than 65 feet in length, except as provided in sections (b) and (c), shall carry—

"(i) In the forepart of the vessel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a white light constructed and fixed as prescribed in Rule 2(a)(i) and of such a character as to be visible at a distance of at least 3 miles.

"(ii) Green and red sidelights constructed and fixed as prescribed in Rule 2(a)(iv) and (v), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 22½ degrees (2 points) abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

"(b) Power-driven vessels of less than 65 feet in length when towing or pushing another vessel shall carry—

"(i) In addition to the sidelights or the combined lantern prescribed in section (a)(ii) two white lights in a vertical line, one over the other not less than 4 feet apart. Each of these lights shall be of the same construction and character as the white light prescribed in section (a)(i) and one of them shall be carried in the same position. In a vessel with a single mast such lights may be carried on the mast.

"(ii) Either a stern light as prescribed in Rule 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam.

"(c) Power-driven vessels of less than 40 feet in length may carry the white light at a less height than 9 feet above the gunwale but it shall be carried not less than 3 feet above the sidelights or the combined lantern prescribed in section (a)(ii).

"(d) Vessels of less than 40 feet in length, under oars or sails, except as provided in section (f), shall, if they do not carry the sidelights, carry, where it can best be seen, a lantern showing a green light on one side and a red light on the other, of such a character as to be visible at a distance of at least 1 mile, and so fixed that the green light shall not be seen on the port side, nor the red light on the starboard side. Where it is not possible to fix this light, it shall be kept ready for immediate use and shall be exhibited in sufficient time to prevent collision and so that the green light shall not be seen on the port side nor the red light on the starboard side.

"(e) The vessels referred to in this Rule when being towed shall carry the sidelights or the combined lantern prescribed in sections (a) or (d) of this Rule, as appropriate, and a stern light as prescribed in Rule 10, or, except the last vessel of the tow, a small white light as prescribed in section (b)(ii). When being pushed ahead they shall carry at the forward end the sidelights or combined lantern prescribed in sections (a) or (d) of this Rule, as appropriate, provided that any number of vessels referred to in this Rule when pushed ahead in a group shall be lighted as one vessel under this Rule unless the overall length of the group exceeds 65 feet when the provisions of Rule 5(c) shall apply.

"(f) Small rowing boats, whether under oars or sail, shall only be required to have ready at hand an electric torch or a lighted lantern, showing a white light, which shall be exhibited in sufficient time to prevent collision.

"(g) The vessels and boats referred to in this Rule shall not be required to carry the lights or shapes prescribed in Rules 4(a) and 11(e) and the size of their day signals may be less than is prescribed in Rules 4(c) and 11(c).

"Rule 8

"(a) A power-driven pilot-vessel when engaged on pilotage duty and under way—

"(i) Shall carry a white light at the masthead at a height of not less than 20 feet above the hull, visible all round the horizon at a distance of at least 3 miles and at a distance of 8 feet below it a red light similar in construction and character. If such a vessel is of less than 65 feet in length she may carry the white light at a height of not less than 9 feet above the gunwale and the red light at a distance of 4 feet below the white light.

"(ii) Shall carry the sidelights or lanterns prescribed in Rule 2(a) (iv) and (v) or Rule 7(a) (ii) or (d), as appropriate, and the stern light prescribed in Rule 10.

"(iii) Shall show one or more flare-up lights at intervals not exceeding 10 minutes. An intermittent white light visible all round the horizon may be used in lieu of flare-up lights.

"(b) A sailing pilot-vessel when engaged on pilotage duty and under way—

"(i) Shall carry a white light at the masthead visible all round the horizon at a distance of at least 3 miles.

"(ii) Shall be provided with the sidelights or lantern prescribed in Rules 5(a) or 7(d), as appropriate, and shall, on the near approach of or to other vessels, have such lights ready for use, and shall show them at short intervals to indicate the direction in which she is heading, but the green light shall not be shown on the port side nor the red light on the starboard side. She shall also carry the stern light prescribed in Rule 10.

"(iii) Shall show one or more flare-up lights at intervals not exceeding ten minutes.

"(c) A pilot-vessel when engaged on pilotage duty and not under way shall carry the lights and show the flares prescribed in sections (a) (i) and (iii) or (b) (i) and (iii), as appropriate, and if at anchor shall also carry the anchor lights prescribed in Rule 11.

"(d) A pilot-vessel when not engaged on pilotage duty shall show the lights or shapes for a similar vessel of her length.

"Rule 9

"(a) Fishing vessels when not engaged in fishing shall show the lights or shapes for similar vessels of their length.

"(b) Vessels engaged in fishing, when under way or at anchor, shall show only the lights and shapes prescribed in this Rule, which lights and shapes shall be visible at a distance of at least 2 miles.

"(c) (i) Vessels when engaged in trawling, by which is meant the dragging of a dredge net or other apparatus through the water, shall carry two lights in a vertical line, one over the other, not less than 4 feet nor more than 12 feet apart. The upper of these lights shall be green and the lower light white and each shall be visible all round the horizon. The lower of these two lights shall be carried at a height above the sidelights not less than twice the distance between the two vertical lights.

"(ii) Such vessels may in addition carry a white light similar in construction to the white light prescribed in Rule 2(a) (i) but such light shall be carried lower than and abaft the all-round green and white lights.

"(d) Vessels when engaged in fishing, except vessels engaged in trawling, shall carry the lights prescribed in section (c) (i) except that the upper of the two vertical lights shall be red. Such vessels if of less than 40 feet in length may carry the red light at a height of not less than 9 feet above the gunwale and the white light not less than 3 feet below the red light.

"(e) Vessels referred to in sections (c) and (d), when making way through the water, shall carry the sidelights or lanterns prescribed in Rule 2(a) (iv) and (v) or Rule 7 (a) (ii) or (d), as appropriate, and the stern light prescribed in Rule 10. When not making way through the water they shall show neither the sidelights nor the stern light.

"(f) Vessels referred to in section (d) with outlying gear extending more than 500 feet horizontally into the seaway shall carry an additional all-round white light at a horizontal distance of not less than 6 feet nor more than 20 feet away from the vertical lights in the direction of the outlying gear. This additional white light shall be placed at a height not exceeding that of the white light prescribed in section (c) (i) and not lower than the sidelights.

"(g) In addition to the lights which they are required by this Rule to carry, vessels engaged in fishing may, if necessary in order to attract the attention of an approaching vessel, use a flare-up light, or may direct the beam of their searchlight in the direction of a danger threatening the approaching vessel, in such a way as not to embarrass other vessels. They may also use working lights but fishermen shall take into account that specially bright or insufficiently screened working lights may impair the visibility and distinctive character of the lights prescribed in this Rule.

"(h) By day vessels when engaged in fishing shall indicate their occupation by displaying where it can best be seen a black shape consisting of two cones each not less than 2 feet in diameter with their points together one above the other. Such vessels if of less than 65 feet in length may substitute a basket for such black shape. If their outlying gear extends more than 500 feet horizontally into the seaway vessels engaged in fishing shall display in addition one black conical shape, point upwards, in the direction of the outlying gear.

"NOTE.—Vessels fishing with trolling lines are not 'engaged in fishing' as defined in Rule 1(c)(xiv).

"Rule 10

"(a) Except where otherwise provided in these Rules, a vessel when under way shall carry at her stern a white light, so constructed that it shall show an unbroken light over an arc of the horizon of 135 degrees (12 Points of the compass), so fixed as to show the light 67½ degrees (6 points) from right aft on each side of the vessel, and of such a character as to be visible at a distance of at least 2 miles.

"(b) In a small vessel, if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, an electric torch or a lighted lantern showing a white light shall be kept at hand ready for use and shall, on the approach of an overtaking vessel, be shown in sufficient time to prevent collision.

"(c) A seaplane on the water when under way shall carry on her tail a white light, so constructed as to show an unbroken light over an arc of the horizon of 140 degrees of the compass, so fixed as to show the light 70 degrees from right aft on each side of the seaplane, and of such a character as to be visible at a distance of at least 2 miles.

"Rule 11

"(a) A vessel of less than 150 feet in length, when at anchor, shall carry in the forepart of the vessel, where it can best be seen, a white light visible all round the horizon at a distance of at least 2 miles. Such a vessel may also carry a second white light in the position prescribed in section (b) of this Rule but shall not be required to do so. The second white light, if carried, shall be visible at a distance of at least 2 miles and so placed as to be as far as possible visible all round the horizon.

"(b) A vessel of 150 feet or more in length, when at anchor, shall carry near the stem of the vessel, at a height of not less than 20 feet above the hull, one such light, and at or near the stern of the vessel and at such a height that it shall be not less than 15 feet lower than the forward light, another such light. Both these lights shall be visible at a distance of at least 3 miles and so placed as to be as far as possible visible all round the horizon.

"(c) Between sunrise and sunset every vessel when at anchor shall carry in the forepart of the vessel, where it can best be seen, one black ball not less than 2 feet in diameter.

"(d) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, when at anchor, shall carry the lights or shapes prescribed in Rule 4(c) in addition to those prescribed in the appropriate preceding sections of this Rule.

"(e) A vessel aground shall carry the light or lights prescribed in sections (a) or (b) and the two red lights prescribed in Rule 4(a). By day she shall carry, where they can best be seen, three black balls, each not less than 2 feet in diameter, placed in a vertical line one over the other, not less than 6 feet apart.

"(f) A seaplane on the water under 150 feet in length, when at anchor, shall carry, where it can best be seen, a white light, visible all round the horizon at a distance of at least 2 miles.

"(g) A seaplane on the water 150 feet or upwards in length, when at anchor, shall carry, where they can best be seen, a white light forward

and a white light aft, both lights visible all round the horizon at a distance of at least 3 miles; and, in addition, if the seaplane is more than 150 feet in span, a white light on each side to indicate the maximum span, and visible, so far as practicable, all round the horizon at a distance of 1 mile.

"(h) A seaplane aground shall carry on anchor light or lights as prescribed in sections (f) and (g), and in addition may carry two red lights in a vertical line, at least 3 feet apart, so placed as to be visible all round the horizon.

"Rule 12

"Every vessel or seaplane on the water may, if necessary in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use a detonating or other efficient sound signal that cannot be mistaken for any signal authorised elsewhere under these Rules.

"Rule 13

"(a) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for ships of war, for vessels sailing under convoy, for fishing vessels engaged in fishing as a fleet or for seaplanes on the water.

"(b) Whenever the Government concerned shall have determined that a naval or other military vessel or waterborne seaplane of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to the number, position, range or arc of visibility of lights or shapes, without interfering with the military function of the vessel or seaplane, such vessel or seaplane shall comply with such other provisions in regard to the number, position, range or arc of visibility of lights or shapes as her Government shall have determined to be the closest possible compliance with these Rules in respect of that vessel or seaplane.

"Rule 14

"A vessel proceeding under sail, when also being propelled by machinery, shall carry in the daytime forward, where it can best be seen, one black conical shape, point downwards, not less than 2 feet in diameter at its base.

"PART C.—SOUND SIGNALS AND CONDUCT IN RESTRICTED VISIBILITY

"PRELIMINARY

"1. The possession of information obtained from radar does not relieve any vessel of the obligation of conforming strictly with the Rules and, in particular, the obligations contained in Rules 15 and 16.

"2. The Annex to the Rules contains recommendations intended to assist in the use of radar as an aid to avoiding collision in restricted visibility.

"Rule 15

"(a) A power-driven vessel of 40 feet or more in length shall be provided with an efficient whistle, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog horn to be sounded by mechanical means, and also with an efficient bell. A sailing vessel of 40 feet or more in length shall be provided with a similar fog horn and bell.

"(b) All signals prescribed in this Rule for vessels under way shall be given—

"(i) by power-driven vessels on the whistle;

"(ii) by sailing vessels on the fog horn;

"(iii) by vessels towed on the whistle or fog horn.

"(c) In fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, the signals prescribed in this Rule shall be used as follows—

"(i) A power-driven vessel making way through the water shall sound at intervals of not more than 2 minutes a prolonged blast.

"(ii) A power-driven vessel under way, but stopped and making no way through the water, shall sound at intervals of not more than 2 minutes two prolonged blasts, with an interval of about 1 second between them.

"(iii) A sailing vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

"(iv) A vessel when at anchor shall at intervals of not more than 1 minute ring the bell rapidly for about 5 seconds. In vessels of more than 350 feet in length the bell shall be sounded in the forepart of the vessel, and in addition there shall be sounded in the after part of the vessel, at intervals of not more than 1 minute for about 5 seconds, a gong or other instrument, the tone and sounding of which cannot be confused with that of the bell. Every vessel at anchor may in addition, in accordance with Rule 12, sound three blasts in succession, namely, one short, one prolonged, and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.

"(v) A vessel when towing, a vessel engaged in laying or in picking up a submarine cable or navigation mark, and a vessel under way which is unable to get out of the way of an approaching vessel through being not under command or unable to manoeuvre as required by these Rules shall, instead of the signals prescribed in subsections (i), (ii) and (iii) sound, at intervals of not more than 1 minute, three blasts in succession, namely, one prolonged blast followed by two short blasts.

"(vi) A vessel towed, or, if more than one vessel is towed, only the last vessel of the tow, if manned, shall, at intervals of not more than 1 minute, sound four blasts in succession, namely, one prolonged blast followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.

"(vii) A vessel aground shall give the bell signal and, if required, the gong signal, prescribed in sub-section (iv) and shall, in addition, give 3 separate and distinct strokes on the bell immediately before and after such rapid ringing of the bell.

"(viii) A vessel engaged in fishing when under way or at anchor shall at intervals of not more than 1 minute sound the signal prescribed in sub-section (v). A vessel when fishing with trolling lines and under way shall sound the signals prescribed in subsections (i), (ii) or (iii) as may be appropriate.

"(ix) A vessel of less than 40 feet in length, a rowing boat, or a seaplane on the water, shall not be obliged to give the above-mentioned signals but if she does not, she shall make some other efficient sound signal at intervals of not more than 1 minute.

"(x) A power-driven pilot-vessel when engaged on pilotage duty may, in addition to the signals prescribed in sub-sections (i), (ii) and (iv), sound an identity signal consisting of 4 short blasts.

"Rule 16

"(a) Every vessel, or seaplane when taxi-ing on the water, shall, in fog, mist, falling snow, heavy rainstorms or any other condition similarly restricting visibility, go at a moderate speed, having careful regard to the existing circumstances and conditions.

"(b) A power-driven vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained,

shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

"(c) A power-driven vessel which detects the presence of another vessel forward of her beam before hearing her fog signal or sighting her visually may take early and substantial action to avoid a close quarters situation but, if this cannot be avoided, she shall, so far as the circumstances of the case admit, stop her engines in proper time to avoid collision and then navigate with caution until danger of collision is over.

"PART D.—STEERING AND SAILING RULES

"PRELIMINARY

"1. In obeying and construing these Rules, any action taken should be positive, in ample time, and with due regard to the observance of good seamanship.

"2. Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

"3. Mariners should bear in mind that seaplanes in the act of landing or taking off, or operating under adverse weather conditions, may be unable to change their intended action at the last moment.

"4. Rules 17 to 24 apply only to vessels in sight of one another.

"Rule 17

"(a) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows—

"(i) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other.

"(ii) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

"(b) For the purposes of this Rule the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

"Rule 18

"(a) When two power-driven vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other. This Rule only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective course, pass clear of each other. The only cases to which it does apply are when each of two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the sidelights of the other. It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or, by night, to cases where the red light of one vessel is opposed to the red light of the other or where the green light of one vessel is opposed to the green light of the other or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

"(b) For the purposes of this Rule and Rules 19 to 29 inclusive, except Rule 20(c) and Rule 28, a seaplane on the water shall be deemed to be a vessel, and the expression 'power-driven vessel' shall be construed accordingly.

"Rule 19

"When two power-driven vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

"Rule 20

"(a) When a power-driven vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, except as provided for in Rules 24 and 26, the power-driven vessel shall keep out of the way of the sailing vessel.

"(b) This Rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a power-driven vessel which can navigate only inside such channel.

"(c) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with these Rules.

"Rule 21

"Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed. When, from any cause, the latter vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision (see Rules 27 and 29).

"Rule 22

"Every vessel which is directed by these Rules to keep out of the way of another vessel shall, so far as possible, take positive early action to comply with this obligation, and shall, if the circumstances of the case admit, avoid crossing ahead of the other.

"Rule 23

"Every power-driven vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

"Rule 24

"(a) Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

"(b) Every vessel coming up with another vessel from any direction more than 22½ degrees (2 points) abaft her beam, i.e., in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's sidelights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

"(c) If the overtaking vessel cannot determine with certainty whether she is forward of or abaft this direction from the other vessel, she shall assume that she is an overtaking vessel and keep out of the way.

"Rule 25

"(a) In a narrow channel every power-driven vessel when proceeding along the course of the channel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

"(b) Whenever a power-driven vessel is nearing a bend in a channel where a vessel approaching from the other direction cannot be seen, such power-driven vessel, when she shall have arrived within

one-half (½) mile of the bend, shall give a signal by one prolonged blast on her whistle which signal shall be answered by a similar blast given by any approaching power-driven vessel that may be within hearing around the bend. Regardless of whether an approaching vessel on the farther side of the bend is heard, such bend shall be rounded with alertness and caution.

"(c) In a narrow channel a power-driven vessel of less than 65 feet in length shall not hamper the safe passage of a vessel which can navigate only inside such channel.

"Rule 26

"All vessels not engaged in fishing, except vessels to which the provisions of Rule 4 apply, shall, when under way, keep out of the way of vessels engaged in fishing. This Rule shall not give to any vessel engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels.

"Rule 27

"In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances, including the limitations of the craft involved, which may render a departure from the above Rules necessary in order to avoid immediate danger.

"PART E.—SOUND SIGNALS FOR VESSELS IN SIGHT OF ONE ANOTHER

"Rule 28

"(a) When vessels are in sight of one another, a power-driven vessel under way, in taking any course authorised or required by these Rules, shall indicate that course by the following signals on her whistle, namely—

"One short blast to mean 'I am altering my course to starboard'.

"Two short blasts to mean 'I am altering my course to port'.

"Three short blasts to mean 'My engines are going astern'.

"(b) Whenever a power-driven vessel which, under these Rules, is to keep her course and speed, is in sight of another vessel and is in doubt whether sufficient action is being taken by the other vessel to avert collision, she may indicate such doubt by giving at least five short and rapid blasts on the whistle. The giving of such a signal shall not relieve a vessel of her obligations under Rules 27 and 29 or any other Rule, or of her duty to indicate any action taken under these Rules by giving the appropriate sound signals laid down in this Rule.

"(c) Any whistle signal mentioned in this Rule may be further indicated by a visual signal consisting of a white light visible all round the horizon at a distance of at least 5 miles, and so devised that it will operate simultaneously and in conjunction with the whistle-sounding mechanism and remain lighted and visible during the same period as the sound signal.

"(d) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to the use of additional whistle signals between ships of war or vessels sailing under convoy.

"PART F.—MISCELLANEOUS

"Rule 29

"Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

"Rule 30

"Reservation of Rules for Harbours and Inland Navigation

"Nothing in these Rules shall interfere with the operation of a special rule duly made by local authority relative to the navigation of any harbour, river, lake, or inland water, including a reserved seaplane area.

"Rule 31

"Distress Signals

"(a) When a vessel or seaplane on the water is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, namely—

"(i) A gun or other explosive signal fired at intervals of about a minute.

"(ii) A continuous sounding with any fog-signalling apparatus.

"(iii) Rockets or shells, throwing red stars fired one at a time at short intervals.

"(iv) A signal made by radiotelegraphy or by any other signalling method consisting of the group . . . — — — . . . in the Morse Code.

"(v) A signal sent by radiotelephony consisting of the spoken word 'Mayday'.

"(vi) The International Code Signal of distress indicated by N.C.

"(vii) A signal consisting of a square flag having above or below it a ball or anything resembling a ball.

"(viii) Flames on the vessel (as from a burning tar barrel, oil barrel, &c.).

"(ix) A rocket parachute flare or a hand flare showing a red light.

"(x) A smoke signal giving off a volume of orange-coloured smoke.

"(xi) Slowly and repeatedly raising and lowering arms outstretched to each side.

"NOTE.—Vessels in distress may use the radiotelegraph alarm signal or the radiotelephone alarm signal to secure attention to distress calls and messages. The radiotelegraph alarm signal, which is designed to actuate the radiotelegraph auto alarms of vessels so fitted, consists of a series of twelve dashes, sent in 1 minute, the duration of each dash being 4 seconds, and the duration of the interval between 2 consecutive dashes being 1 second. The radiotelephone alarm signal consists of 2 tones transmitted alternately over periods of from 30 seconds to 1 minute.

"(b) The use of any of the foregoing signals, except for the purpose of indicating that a vessel or seaplane is in distress, and the use of any signals which may be confused with any of the above signals, is prohibited.

"ANNEX TO THE RULES

"RECOMMENDATIONS ON THE USE OF RADAR INFORMATION AS AN AID TO AVOIDING COLLISIONS AT SEA

"(1) Assumptions made on scanty information may be dangerous and should be avoided.

"(2) A vessel navigating with the aid of radar in restricted visibility must, in compliance with Rule 16(a), go at a moderate speed. Information obtained from the use of radar is one of the circumstances to be taken into account when determining moderate speed. In this regard it must be recognised that small vessels, small icebergs and similar floating objects may not be detected by radar. Radar indications of one or more vessels in the vicinity may mean that "moderate speed"

should be slower than a mariner without radar might consider moderate in the circumstances.

"(3) When navigating in restricted visibility the radar range and bearing alone do not constitute ascertainment of the position of the other vessel under Rule 16(b) sufficiently to relieve a vessel of the duty to stop her engines and navigate with caution when a fog signal is heard forward of the beam.

"(4) When action has been taken under Rule 16(c) to avoid a close quarters situation, it is essential to make sure that such action is having the desired effect. Alterations of course or speed or both are matters as to which the mariner must be guided by the circumstances of the case.

"(5) Alteration of course alone may be the most effective action to avoid close quarters provided that—

"(a) There is sufficient sea room.

"(b) It is made in good time.

"(c) It is substantial. A succession of small alterations of course should be avoided.

"(d) It does not result in a close quarters situation with other vessels.

"(6) The direction of an alteration of course is a matter in which the mariner must be guided by the circumstances of the case. An alteration to starboard, particularly when vessels are approaching apparently on opposite or nearly opposite courses, is generally preferable to an alteration to port.

"(7) An alteration of speed, either alone or in conjunction with an alteration of course, should be substantial. A number of small alterations of speed should be avoided.

"(8) If a close quarters situation is imminent, the most prudent action may be to take all way off the vessel."

Proclamation 3633

LAW DAY, U.S.A., 1965

January 7, 1965

By the President of the United States of America

A Proclamation

The Congress of the United States has set aside the first day of May of each year as Law Day, U.S.A., an occasion for the American people to rededicate themselves to our Nation's ideals of equality and justice under law and to our responsibilities as free men.

There is a timely need for such rededication. The Nation's efforts to advance freedom and individual opportunity, to curb lawlessness, and to achieve equal justice for all citizens are urgent concerns of every American.

Law Day, U.S.A., reminds us of the fundamental truth that our very lives, our liberty, and our rights to pursue our individual destinies are dependent upon our system of law and independent courts. Obedience to the laws which protect these rights is the heart of our system. Disrespect for law, intolerance, and public apathy concerning law enforcement are enemies of justice and freedom.

The observance of Law Day, U.S.A., on May 1, 1965, with the theme, "Uphold the Law—A Citizen's First Duty," will serve to focus attention on the fact that every citizen can help strengthen our national commitment to the rule of law. Every American can contribute to an orderly, lawful society by personal compliance with the laws, by recognizing the rights of others, by teaching respect for law in the home, by supporting and aiding the agencies of law enforcement, and by serving on a jury or giving testimony in court when called.

Law Day, U.S.A., is an appropriate occasion for each of us to commit himself to the fulfillment of these responsibilities of citizenship.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby request that the people of our land observe Saturday, May 1, 1965, with suitable programs and ceremonies, as Law Day, U.S.A. I urge that schools, churches, civic and service organizations, public bodies, courts, the legal profession, and the media of information 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 seventh day of January 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3634

AMERICAN HEART MONTH, 1965

January 28, 1965

By the President of the United States of America

A Proclamation

WHEREAS in the year 1965 heart disease—ailments of the heart and blood vessels—is expected to take a toll of more than one million lives, and year by year continues to be responsible for over half of all the deaths in the United States; and

WHEREAS an estimated 14.6 million Americans are suffering from heart disease and another 13 million are believed to be suffering from it; and

WHEREAS that suffering constitutes an indescribable burden of human misery and results in a staggering loss of billions of dollars to our economy; and

WHEREAS the recent sweep of scientific progress has brought significant new cardiovascular knowledge in the past few years and promises to produce even greater gains in the foreseeable future; and

WHEREAS other advances are being made in combating cardiovascular diseases through programs of education of the public, training for the health professions, and community services for patients—programs that hasten the benefits of research to suffering humanity; and

WHEREAS these essential and forward-looking programs are in the main the result of a national partnership of the American Heart Association and its Federal allies, especially the National Heart Institute and the Heart Disease Control Program of the Public Health Service, Department of Health, Education, and Welfare; and

WHEREAS joined with them in this partnership are the Nation's many resources for health and, most importantly, the people and their physicians; and

WHEREAS the recent development of the recommendations of the President's Commission on Heart Disease, Cancer, and Stroke shows that we stand at the threshold of an historic breakthrough; and

WHEREAS, with these and other guideposts and goals of this new year, we can and we must begin an immediate, concerted, and revitalized drive on our Nation's leading killer—heart disease; and

WHEREAS it is both urgent and indispensable that all of our people become aware of the vast problem of heart disease and of what is being done and can be done about it, and that every citizen join the endeavor as a member of the health forces of the Nation to help speed the conquest of heart disease; and

36 USC 169b.

WHEREAS 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 1965 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 the people of the United States to give heed to the nationwide problem of the heart and blood vessel diseases, and to support the programs required to bring about its solution.

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-five, and of the Independence of the United States of America the one hundred and eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

Proclamation 3635

NATIONAL POISON PREVENTION WEEK, 1965

January 28, 1965

By the President of the United States of America

A Proclamation

Most of our medicines and common household products, when used as intended or directed, contribute to the health and well-being of the American people. The improper labeling, handling, storage, and disposal of such medicines and products, however, may result in serious injury or death by accidental poisoning.

Each year thousands of children, too young to make distinctions, are the victims of such accidental poisonings. Adults, and others responsible for child care, can reduce or eliminate these hazards by exercising greater care in the use, handling, and disposal of these potentially harmful products.

To aid in encouraging the American people to learn of the dangers of accidental poisoning and to take such preventive measures as are warranted, the Congress, by a joint resolution approved September 26, 1961 (75 Stat. 681), requested the President to issue annually a proclamation designating the third week in March as National Poison Prevention Week: 36 USC 165.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning March 14, 1965, as National Poison Prevention Week.

I direct the appropriate agencies of the Federal Government, and I invite State and local governments and organizations interested in child safety, to participate actively in programs designed to promote better protection against accidental poisonings.

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-five, and of the Independence of the United States of America the one hundred and eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

Proclamation 3636

RED CROSS MONTH, 1965

January 28, 1965

By the President of the United States of America

A Proclamation

WHEREAS the American National Red Cross is recognized by the Congress of the United States as the agency authorized to provide voluntary relief to our servicemen and their families and to serve as the medium of communication between the people of the United States and their Armed Forces; and

WHEREAS for more than eighty-four years the American Red Cross has served the Government of the United States in periods of national emergency, war, and peace as a voluntary aid in matters affecting the welfare of all the American people; and

WHEREAS the national programs and community services of the American Red Cross, including Disaster Relief operations, the Blood Program, Nursing Services, First Aid, Water Safety, and others, contribute to the general good and must be maintained at maximum efficiency; and

WHEREAS these essential programs and services are made possible through the voluntary support and cooperation of 43,500,000 members and volunteers in 3,500 Red Cross chapters across the Nation; and

WHEREAS the American National Red Cross, as a member of the League of Red Cross Societies and in full cooperation with the League, participates in the international relief programs, providing food, clothing, medical care, assistance, and hope to the peoples affected by war, pestilence, civil conflict, and disaster; and

WHEREAS, under the provisions of the Geneva Conventions, the American Red Cross, in cooperation with its sister societies and the

International Committee of the Red Cross, has furnished voluntary aid to the sick and wounded of armies in time of war and has protected prisoners of war; and

WHEREAS the United States of America, as an adherent to the Red Cross Treaty of Geneva, is itself a member of the International Red Cross family of nations:

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 1965 as Red Cross Month; and I urgently request every American to honor the American Red Cross, to his fullest capacity, by participating in and supporting its programs.

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-five, and of [SEAL] the Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

Proclamation 3637

IMMIGRATION QUOTAS

February 5, 1965

By the President of the United States of America

A Proclamation

66 Stat. 176.
8 USC 1152.

WHEREAS under the provisions of Section 202(a) of the Immigration and Nationality Act, each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than independent countries of North, Central, and South America, is entitled to be treated as a separate quota area when approved by the Secretary of State; and

8 USC 1151.

WHEREAS under the provisions of Section 201(b) of the Immigration and Nationality Act, the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, are required to determine the annual quota of any quota area established pursuant to the provisions of Section 202(a) of the said Act, and to report to the President the quota of each quota area so determined; and

75 Stat. 654.
8 USC 1152.

WHEREAS under the provisions of Section 202(e) of the said Act, the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, are required to revise the quotas, whenever necessary, to provide for any political changes requiring a change in the list of quota areas; and

WHEREAS on September 21, 1964, the former British dependency of Malta was granted independence by the Government of the United Kingdom; and

WHEREAS on October 24, 1964, the former British Protectorate of Northern Rhodesia was granted independence by the Government of the United Kingdom and became the Republic of Zambia; and

WHEREAS the Secretary of State, the Secretary of Commerce, and the Attorney General have jointly determined and reported to me the immigration quotas hereinafter set forth:

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 aforesaid Act of Congress, do hereby proclaim and make known that the annual immigration quotas of the quota areas hereinafter designated have been determined in accordance with the law to be, and shall be, as follows:

Quota area:	*Quota*
Malta	100
Zambia	100

The establishment of an immigration quota for any quota area is solely for the purpose of compliance with the pertinent provisions of the Immigration and Nationality Act and is not to be considered as having any significance extraneous to such purpose. 66 Stat. 163. 8 USC 1101 note.

Proclamation No. 3298 of June 3, 1959, as amended, entitled "Immigration Quotas," is further amended by the addition of the quotas for Malta and the Republic of Zambia. 73 Stat. C59. 8 USC 1151 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 fifth day of February 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 eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

Proclamation 3638

NATIONAL DEFENSE TRANSPORTATION DAY AND NATIONAL TRANSPORTATION WEEK, 1965

By the President of the United States of America
A Proclamation

February 24, 1965

WHEREAS our transportation system is a vital network which spans a continent, helps keep the wheels of commerce and industry turning, and makes us the most mobile society in the history of the world; and

WHEREAS not only our commercial and economic and personal lives, but also the very defense of the Nation, are dependent upon modern and efficient transportation; and

WHEREAS 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, working night and day, move the goods and people throughout our land: 36 USC 160. 36 USC 166.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Friday, May 21, 1965, as National Defense Transportation Day, and the week beginning May 16, 1965, as National Transportation Week; and I urge our people to participate, with representatives of the transportation in-

dustry, 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 24th day of February 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3639

NATIONAL FARM SAFETY WEEK, 1965

February 24, 1965

By the President of the United States of America
A Proclamation

Hundreds of thousands of volunteer leaders and members of rural organizations are working actively in safety programs across the Nation. They are helping to reduce accidents among farm people. Still, accidents claim the lives of thousands of farm residents, and nearly 800,000 more are disabled each year. This tragic and needless waste of human and economic resources is detrimental to the well-being of the entire Nation. I therefore view farm safety as a matter of vital national concern.

I commend the public-spirited men and women responsible for rural safety programs in the past. Their efforts must continue to get public recognition and support. Now I urge vigorous new efforts to eradicate the hazards that cause farm and rural accidents, and to promote continued public awareness of safety practices. This should be the objective of National Farm Safety Week, 1965.

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 25, 1965, as National Farm Safety Week. I urge all farm families, and all people and organizations allied with agriculture, to engage in a united effort to reduce accidents at work, in homes, at recreation, and on our Nation's highways and roads.

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 24th day of February 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3640

SAVE YOUR VISION WEEK, 1965

By the President of the United States of America February 24, 1965

A Proclamation

WHEREAS preservation of vision is of the utmost importance to each individual and to the Nation as a whole; and

WHEREAS cataracts, glaucoma, and other chronic diseases continue to be the major causes of visual impairments and blindness; and

WHEREAS both children and adults are frequently threatened with blindness because visual abnormalities which were present at birth go undetected until irreversible vision loss has occurred; and

WHEREAS blindness or serious visual loss is often preventable through early eye examinations of preschool age and school age children and through the early detection of visual deficiencies among the chronically ill and aging; and

WHEREAS effective vision preservation will be achieved only if all our people are aware of the need for proper vision care, and take advantage of all means available to them to conserve their sight; and

WHEREAS the Congress, by a joint resolution approved December 30, 1963 (77 Stat. 629), has requested the President to issue annually a proclamation designating the first week in March of each year as Save Your Vision Week: 36 USC 169a.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning March 7, 1965, as Save Your Vision Week; 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 also call upon the communications media, the medical and health care professions, and all other 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 vision to their own welfare and that of our country, 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 24th day of February 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3641

PAN AMERICAN DAY AND PAN AMERICAN WEEK, 1965

March 1, 1965

By the President of the United States of America

A Proclamation

WHEREAS April 14, 1965, will mark the seventy-fifth anniversary of the inter-American system freely established by the American Republics and known as the Organization of American States; and

WHEREAS the United States and the other American Republics have been neighbors for almost two hundred years, and are equal partners and sovereign states within the inter-American system; and

WHEREAS, for decades, differences among members have been settled at conference tables, thus giving proof of the effectiveness of the inter-American system; and

WHEREAS the peoples of the United States consider themselves partners of the peoples of Latin America, sharing with them not only a common continent but a mutual and abiding aspiration for the achievement of a good and full life for every citizen of the Americas; and

WHEREAS the nations of the Hemisphere are embarked, through the Alliance for Progress, in a relentless pursuit of a better life and a quest for the social justice and human rights to which all the peoples of the Hemisphere are entitled:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim Wednesday, April 14, 1965, as Pan American Day, and the week beginning April 18 and ending April 24 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 appropriate officials of all other areas under the United States flag to issue similar proclamations.

The citizens of the free and independent republics of the Hemisphere are a great society of nations, built on ideals of freedom and a tradition of cooperation and friendship. They are united in a mutual effort to root out the ills and injustices that mar our progress, and to enrich and elevate the lives of all our citizens. The inter-American system is the cornerstone of this edifice; I urge all my fellow countrymen individually, and collectively through interested organizations, to reaffirm their faith in the Organization of American States on the occasion of its seventy-fifth anniversary.

I call upon this Nation to rededicate itself during this period to the ideals of the inter-American system as embodied in the Charter of the Organization of American States, and to the goals of economic and social progress of the Charter of Punta del Este which are so firmly based on our common belief in the dignity of men and on our faith in 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 first day of March 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 eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3642

CANCER CONTROL MONTH, 1965

March 4, 1965

By the President of the United States of America

A Proclamation

WHEREAS the health of the American people is essential to our national strength and well-being; and

WHEREAS a Presidential Commission on Heart Disease, Cancer, and Stroke has given intensive study to the problem of the control of these diseases; and

WHEREAS the Congress now has under consideration a broad program of research and demonstration aimed at combatting cancer and other such major diseases, through the strengthening of all of our medical resources; and

WHEREAS the encouraging progress already made against leukemia and other forms of cancer deserves official recognition, and the scientists, physicians, and official and voluntary agencies devoted to the control of malignant disease in all its forms merit grateful commendation; and

WHEREAS the Congress, by House Joint Resolution 468, approved March 28, 1938 (52 Stat. 148), requested the President to issue annually a proclamation setting apart the month of April as Cancer Control Month: 36 USC 150.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the month of April 1965 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 fourth day of March 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3643

LOYALTY DAY, 1965

March 11, 1965

By the President of the United States of America

A Proclamation

"We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

With these words our forefathers proclaimed a revolutionary concept of human rights—a concept that permeates our Constitution and our democratic form of government. Less than a century later President Lincoln spoke of the United States as "this government of the people, by the people, and for the people."

Our Nation's rise to its unequaled position of prosperity and power was no accident of fate—nor was it achieved without costly struggle. Rather, the United States flourished because her people were so dedicated to free government that they were willing to sacrifice their lives and fortunes, at home or abroad, to preserve our democratic institutions. The roll of our honored dead attests to the courage of our people.

This loyalty of our people—their unswerving devotion to our Nation and its Constitution—has rewarded us with a heritage of freedom never before achieved by any civilization. We must cherish that heritage and fulfill our sacred trust to enrich and preserve it for our children, and our children's children.

In these times when misguided forces throughout the world publicly declare their intent to destroy our democratic way of life, we affirm again our eternal hostility to tyranny and oppression wherever it exists. Once more we proclaim our loyalty to the United States, our determination to preserve freedom, justice, equality, and human dignity in this land, and our resolution to assure those blessings for all who yearn to be free.

36 USC 162.

In recognition of this obligation, 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.

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 Saturday, May 1, 1965, 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 eleventh day of March 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 eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3644

GODDARD DAY

March 12, 1965

By the President of the United States of America

A Proclamation

WHEREAS on March 16, 1926, Dr. Robert Hutchings Goddard successfully launched the world's first liquid-fuel rocket at Auburn, Massachusetts; and

WHEREAS this achievement, as well as Dr. Goddard's other pioneering achievements in the theory, construction, and testing of rockets, established a foundation for the development of modern rocketry and made possible the exploration of space; and

WHEREAS it is appropriate that the great scientific accomplishments of Dr. Goddard should be remembered and that they should be memorialized on the anniversary of his success; and

WHEREAS the Congress, by an Act approved March 12, 1965, has designated March 16, 1965, as Goddard Day and has requested the President to issue a proclamation calling upon officials of the Government and the public to participate in ceremonies, meetings, and other activities held in observance of Goddard Day: *Ante*, p. 23.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby call upon officials of the Government, and the people of the United States, to observe March 16, 1965, with ceremonies and activities designed to commemorate the achievements of Dr. Robert H. Goddard.

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 March 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3645

PROVIDING FEDERAL ASSISTANCE IN THE STATE OF ALABAMA

March 20, 1965

By the President of the United States of America

A Proclamation

WHEREAS, On March 17, 1965, the United States District Court for the middle district of Alabama entered an order in the case of Williams et al., Plaintiffs, United States of America, Plaintiff-Intervenor v. Wallace et al., Defendants, Civil Action No. 2181–N, approving an exercise by the Plaintiffs and the members of the class they represent of their right to march along United States Highway 80 from Selma to Montgomery, Alabama, commencing in Selma, Alabama, not earlier than Friday, March 19, 1965, and not later than Monday, March 22, 1965, and terminating in Montgomery, Alabama, within five days from commencement; and

WHEREAS, in relation to such judicial order and march the Governor of the State of Alabama has advised me that the state is unable

and refuses to provide for the safety and welfare, among others, of the plaintiffs and the members of the class they represent; and

WHEREAS, as a consequence of such inability and refusal of the State of Alabama, and by reason of recent events in and about Selma and Montgomery, Alabama, there is a substantial likelihood that domestic violence may occur in connection with such march, with the consequence of obstructing the execution and enforcement of the laws of the United States, including the aforesaid judicial order:

NOW, THEREFORE, I, Lyndon B. Johnson, President of the United States of America, under and by virtue of the authority vested in me by the Constitution and laws of the United States, including Chapter 15 of Title 10 of the United States Code, particularly Sections 332, 333, and 334 thereof, do command all persons engaged or who may engage in such domestic violence obstructing the execution and enforcement of the laws to cease and desist therefrom and to disperse and retire peaceably forthwith.

70A Stat. 15.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at Johnson City, Texas, this twentieth day of March 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 eighty-ninth.

[SEAL]

LYNDON B. JOHNSON
March 20, 1965
1:28 a.m.

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3646

NATIONAL MARITIME DAY, 1965

March 24, 1965

By the President of the United States of America

A Proclamation

International commerce and the ships which make it possible have contributed immeasurably to America's greatness. The sea and ships are an integral part of this country's past, present, and future.

In war and peace merchant ships and merchant seamen have served us well. The forms of ships may change—from the tiny sailing ship *Mayflower*, to the nuclear ship *Savannah* and the automated liners of tomorrow—but their purpose remains the same: to carry people and goods between nations in peaceful commerce or, if need be, to carry the men and equipment needed to protect our interests and our friends overseas.

We must be ever mindful of the state of our merchant fleet. A balanced, economical, and efficient merchant fleet, manned by well-trained and skilled seamen, is a vital national resource. The importance of American merchant seapower is underscored by our burgeoning trade, and the increasing demands for ocean transportation that result. The creation and maintenance of a strong and competitive fleet to meet these demands is a complex task requiring the best efforts of government, management, and labor.

I take particular pleasure in noting that this year marks the fifteenth anniversary of the establishment of the Maritime Administration in

the Department of Commerce. That agency has the responsibility for insuring that the United States possesses a merchant marine adequate to meet our economic and military requirements for an American-flag merchant marine. It has served us well.

That the American people might be constantly reminded of the importance of the merchant marine in our national life, the Congress in 1933 designated May 22 of each year as National Maritime Day and requested the President to issue a proclamation annually calling for the observance of that day. On that day in 1819 the SS *Savannah* set forth for the first transoceanic voyage of any steamship.

48 Stat. 73.
36 USC 145.

Maritime Day should serve to remind all Americans that the maintenance of our merchant marine cannot be left to the Government alone, and that our fleet must ultimately be supported by Americans who ship their cargo on American ships.

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 Saturday, May 22, 1965, 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 twenty-fourth day of March 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3647

WORLD TRADE WEEK, 1965

March 24, 1965

By the President of the United States of America

A Proclamation

WHEREAS the vigorous growth of our reciprocal trade with nations around the world advances the attainment of a more abundant life for every American; and

WHEREAS the continued expansion of the international exchange of the products of people's labors is mutually profitable to all trading nations and builds greater good will among them; and

WHEREAS we are working together with other nations to enlarge the opportunities for global marketing, by both developed and developing countries, through reciprocal reduction of trade barriers in the Kennedy Round of multilateral trade negotiations; and

WHEREAS more and more American businessmen are engaging in trade with overseas businessmen; and

WHEREAS American export progress, serving as an inspiring illustration of the strength of our private enterprise, encourages businessmen throughout the United States to seek new opportunities in the world's growing markets; and

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WHEREAS American products, by their quality and variety, offer witness to the vigor and creativity of our economy in all parts of the world; and

WHEREAS it is essential that we continue to expand our export trade, so that we may further improve our international balance of payments, accelerate the progress of our advancing American industry, and increase the employment of American workers:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning May 16, 1965, 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 twenty-fourth day of March 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3648

SMALL BUSINESS WEEK, 1965

March 24, 1965

By the President of the United States of America

A Proclamation

WHEREAS small business has through our history contributed to our cherished system of free, competitive enterprise; and

WHEREAS the Nation's 4.7 million small businesses:

—include nine of every ten businesses that supply the needs and wants of the American people;

—provide more than a third of the Nation's goods and services;

—contribute significantly to the well-being of our citizens, to the defense of freedom, and to the exploration of new scientific frontiers; and

WHEREAS small business concerns, by continuing to grow in number and strength, will provide additional jobs needed by a growing Nation; and

WHEREAS small business holds open the door of opportunity for men and women of all races and creeds; and

WHEREAS small business is a source of new ideas, new methods, and new products which enrich the lives of our citizens and stimulate our economic growth; and

WHEREAS small businessmen are leaders in the business and civic affairs of their communities, and will continue to play a leading role in community-wide action to eliminate poverty wherever it exists;

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning May 23, 1965, 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 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 twenty-fourth day of March 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3649

PROFESSIONAL PHOTOGRAPHY WEEK

March 29, 1965

By the President of the United States of America

A Proclamation

We have long been accustomed to the enrichment of our lives by photography. Photography gives us remembrances of our loved ones, records of today's events as they become tomorrow's history, and art forms which enrich our culture. Familiar, too, is photography's contribution in the laboratory, the hospital, and the classroom.

In all of these traditional areas, the work of professional photographers has been recognized and accepted. Less well known, however, is the contribution of professional photography to our country's economy.

More than 150,000 men and women are engaged in professional photography. In industry and commerce, professional photography makes an increasingly important contribution to product design, research, manufacture, the promotion of safety, and the marketing of products. On our farms, in our courts, and in the world of nature, professional photography has increased our knowledge and our understanding.

With the broadening of man's horizons through recent scientific achievements, we are coming to a fuller realization of the importance of photography. Professional photography plays a vital part in scientific advances as we search into the little known world of outer space and delve farther into the ocean's depths.

As a tribute to the professional photographer and in recognition of the importance of professional photography in our life today and in America's future, the Congress by a joint resolution approved March 29, 1965, has requested the President to issue a proclamation designating the week beginning May 2 through May 8, 1965, as Professional Photography Week.

Ante, p. 25.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week of May

2 through May 8, 1965, as Professional Photography Week, and I call upon the people of the United States to observe that week with appropriate ceremonies and activities.

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-ninth day of March 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3650

BENNETT PLACE COMMEMORATION

March 29, 1965

By the President of the United States of America

A Proclamation

The true unity of our Nation is more than a union of States. It is a unity of spirit, of human hearts, and aspirations and hopes. It is not static but is ever growing, for its work is never done.

The true spirit of American unity is one of challenge, of new goals to be sought and won. It is the spirit of ceaseless striving by all of us—by Americans of every generation—to attain those great common purposes that spring from our rich and marvelous diversity and yet transcend it.

A moving and poignant example of this spirit occurred nearly one hundred years ago in the peace negotiations between General William T. Sherman and General Joseph E. Johnston, held at the Bennett Place, near the City of Durham, North Carolina. Those opposing generals sought more than a mere cessation of hostilities, more than a reunion of States. They looked to the future. They sought a peace for a reunited people, a peace that would be nationwide in scope, permanent in duration, and based on mutual understanding, fraternal affection, and concord of purpose.

Ante, p. 24.

By a joint resolution approved March 29, 1965, the Congress of the United States has requested the President to issue a proclamation reminding the American people of the spirit of national unity that is symbolized by the Bennett Place, near the City of Durham, North Carolina, and of commemorative ceremonies to be held there by the Governor and people of the State of North Carolina on April 25, 1965.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, hereby call upon the American people to remember and to reflect upon that spirit of national unity; and I urge those who can do so to attend the centennial ceremonies to be held at the Bennett Place, near the City of Durham, North Carolina, on April 25, 1965, pursuant to the cordial invitation of the Governor and people of that State.

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 March in the year of our Lord nineteen hundred and sixty-five, and of the [SEAL] Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3651

NATIONAL SAFE BOATING WEEK, 1965

By the President of the United States of America April 2, 1965

A Proclamation

WHEREAS many millions of Americans have the opportunity in this great Nation to enjoy the healthful sport of boating in their leisure hours; and

WHEREAS the importance of boating safety should be impressed upon every individual who pursues this outdoor pastime so that the useless waste of lives and property may be avoided; and

WHEREAS a continued awareness by the public of the need for safety on the waterways can only be assured by recurring emphasis by the boating industry, boating organizations, Federal and State agencies, and boating enthusiasts on the critical necessity for compliance with safe boating principles; and

WHEREAS the Congress of the United States, in seeking to focus national attention on the importance of safe boating practices, by a joint resolution, approved June 4, 1958 (72 Stat. 179), has requested the President to proclaim annually the week which includes July Fourth as National Safe Boating Week: 36 USC 161.

NOW, THEREFORE, I, LYNDON B. JOHNSON, PRESIDENT OF THE UNITED STATES OF AMERICA, do hereby designate the week beginning July 4, 1965, as National Safe Boating Week.

I strongly urge all Americans to do their utmost during this Week and throughout the year to unite in the pursuit of making boating one of the safest and most enjoyable of all recreational activities.

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 in order to provide impetus in stressing recreational boating safety during the Week and 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 second day of April 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3652

UNITED NATIONS DAY, 1965

April 9, 1965

By the President of the United States of America

A Proclamation

WHEREAS the year 1965 will mark the twentieth anniversary of the signing of the United Nations Charter in San Francisco; and

WHEREAS the year 1965 has been designated by the United Nations General Assembly as International Cooperation Year, and I have so proclaimed it for the United States; and

WHEREAS our own peace and prosperity is directly interwoven with the peace, prosperity, and development of the rest of mankind; and

WHEREAS our future is made more secure when we can share with other members of the United Nations the responsibility for keeping the peace and building a better world; and

WHEREAS the United Nations, despite many difficult problems, is the best organization yet devised in which nations can work together for world peace; for promotion of fundamental human rights, justice, and the rule of law among nations; and for social progress and better standards of living; and

WHEREAS it is essential in our democratic society to maintain informed public support for United States policies in the United Nations; and

WHEREAS enlightened public opinion in this regard requires accurate and timely information about the United Nations and its large family of agencies whose activities serve the United States and all other members; and

WHEREAS 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:

59 Stat. 1031.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim Sunday, October 24, 1965, 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 ninth day of April 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 eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

Proclamation 3653

SENIOR CITIZENS MONTH, 1965

April 10, 1965

By the President of the United States of America

A Proclamation

WHEREAS there are now more than eighteen million men and women over the age of sixty-five in the United States; and

WHEREAS every twenty seconds another American reaches this milestone of maturity; and

WHEREAS the present rapid rate of growth in this segment of our population—our honored senior citizens—is a uniquely modern development that can be attributed to the forces of industrialization, urbanization, and advancing medical science and technology; and

WHEREAS the aged must be integrated into American life as full partners in the Great Society; and

WHEREAS the aged have special needs that must be met; and

WHEREAS the needs of older Americans are a matter of utmost concern to all of us, and must be met by all of us so that we may enrich their lives today, our own lives tomorrow, and the lives of our children in the decades to come; and

WHEREAS Federal, State, and local governmental efforts, in partnership with private, voluntary organizations, can and should offer leadership and assistance in stimulating community action on behalf of older Americans:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the month of May 1965 as Senior Citizens Month; and I urge all Federal, State, and local governmental agencies, as well as all public and private organizations and all citizens, to give effective expression to the theme of this special month—*Meeting the Challenge of Aging Through Community Action for Older Americans.* It is necessary, desirable, rewarding, and satisfying to help transform into realities the dreams that we have for our fathers, our mothers, and our other aging citizens. Let us make this month outstanding by giving our full support to the common efforts of public and private agencies at the Federal, State, and local levels that are working together to improve the added years which our civilization has made possible for so many of our citizens.

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 and promotion 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 tenth day of April 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 eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3654

MOTHER'S DAY, 1965

April 27, 1965

By the President of the United States of America

A Proclamation

WHEREAS the rapidly changing nature of our world requires more than ever that the American home shall be a haven of stability in which our people can develop their spiritual, intellectual, and physical capacities to the fullest; and

WHEREAS the mothers of America, in their devotion to their families, seek unselfishly to encourage in our homes an atmosphere in which the traditions of our Nation can flourish and the highest values of our civilization can be continually nurtured; and

WHEREAS the respect, gratitude, and love which the mothers of our Nation earn each day should be publicly and specially commemorated each year; and

36 USC 142.

WHEREAS by a joint resolution approved May 8, 1914 (38 Stat. 770), the Congress designated the second Sunday in May of each year as Mother's Day and requested the President to issue a proclamation calling for its observance in accordance with the provisions of that resolution:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby request that Sunday, May 9, 1965, 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 urge the people of the United States to give public and private expression on that day to the abiding love and gratitude which they bear for their mothers by display of the flag at their homes or other suitable places and through prayer and thoughtful acts of affection and devotion.

I urge all mothers to be ever mindful of their responsibilities for assuring that their children develop into mature men and women prepared to assume the duties and privileges of American 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 27th day of April 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 eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3655

ARMED FORCES DAY

May 7, 1965

By the President of the United States of America

A Proclamation

WHEREAS the safety of our cherished freedom rests in large measure upon the capabilities of our Armed Forces to forestall totalitarian aggression; and

WHEREAS the Armed Forces of the United States serve as a unified team, at home and at outposts throughout the world, insuring our own security and the security of our friends abroad, and fostering the settlement of international differences by peaceful processes; and

WHEREAS enlightened understanding and unstinting support of our Armed Forces by an informed American people are vital to the strength and vigor of our Armed Forces; and

WHEREAS our soldiers, sailors, airmen, marines, and coastguardsmen, from whom we ask so much, are the cornerstone of our military might and richly deserve to have a special day set aside in their honor:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America and Commander in Chief of the Armed Forces of the United States, do hereby proclaim the third Saturday of May in 1965 and the third Saturday of May in each succeeding year as Armed Forces Day.

I direct the Secretary of Defense on behalf of the Army, the Navy, the Air Force, and the Marine Corps, and the Secretary of the Treasury on behalf of the Coast Guard, to designate that day each year for appropriate observances. The Secretary of Defense, as my personal representative, shall be responsible for the program contemplated by this proclamation and for soliciting the participation and cooperation in its execution by civil authorities and distinguished private citizens.

I invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States, and the Commissioners of the District of Columbia, to provide for the observance of Armed Forces Day within their jurisdictions each year in an appropriate manner designed to enhance public understanding and appreciation of the Armed Forces of the United States as defenders of freedom at home and abroad.

I call upon my fellow Americans to display the flag of the United States at their homes on Armed Forces Day. I invite them to take part in observances planned by personnel of the Armed Forces as a report to the Nation which they are sworn to protect.

Proclamation No. 3172 of March 5, 1957, and Proclamation No. 3399 of March 18, 1961, are hereby superseded.

71 Stat. c24.
75 Stat. 1038.
36 USC notes prec. 141.

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 May 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 eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3656

ADDING ELLIS ISLAND TO THE STATUE OF LIBERTY NATIONAL MONUMENT

May 11, 1965

By the President of the United States of America

A Proclamation

26 Stat. 670.

WHEREAS Ellis Island in 1890 was placed under the control of the Federal Bureau of Immigration for development as an immigration station; and

WHEREAS between the years 1892 and 1954 Ellis Island was host to more than 16 million aliens entering this country; and

WHEREAS Ellis Island was a temporary shelter for those who sought refuge, freedom, and opportunity in our country; and

WHEREAS the millions of people who passed through the Ellis Island Depot were important to America for their contribution in making the United States of America the world leader it is today; and

WHEREAS the Statue of Liberty is a symbol to the world of the dreams and aspirations which have drawn so many millions of immigrants to America; and

WHEREAS to all Americans the Statue of Liberty stands eternal as the symbol of the freedom which has been made a living reality in the United States for men of all races, creeds, and national origins who have united in allegiance to the Constitution of the United States and to the imperishable ideals of our free society; and

WHEREAS, by Proclamation No. 1713 of October 15, 1924 (43 Stat. 1968), the Statue of Liberty and the land on which it is situated were established as a national monument in accordance with section 2 of the Act of Congress approved June 8, 1906 (34 Stat. 225; 16 U.S.C. 431); and

WHEREAS Ellis Island, consisting of approximately 27.5 acres, with improvements thereon, and of submerged lands in the rectangle surrounding the island, including the above acreage, aggregating 48 acres, is owned and controlled by the United States; and

WHEREAS the public interest would be promoted by reserving this area for proper protection and preservation as the Statue of Liberty National Monument:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the Act of Congress approved June 8, 1906 (34 Stat. 225; 16 U.S.C. 431), do proclaim that the property known as Ellis Island, as described in the preamble of this Proclamation, which is owned and controlled by the United States is hereby added to and made a part of the Statue of Liberty National Monument, subject to the limitation contained in the last sentence of this paragraph, and shall be administered pursuant to the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., secs. 1–3), and acts supplementary thereto and amendatory thereof. Henceforth the Statue of Liberty National Monument shall consist of the Statue of Liberty, Liberty Island, and Ellis Island. Unless provided otherwise by Act of Congress, no funds appropriated to the Department of the Interior for the Administration of the National Monument shall be expended upon the development of Ellis Island.

Ante, p. 543.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the National Monument.

So much of Proclamation No. 1713 of October 15, 1924, as relates to Fort Wood, New York, and the Statue of Liberty and the land on which it is situated, is hereby superseded. 43 Stat. 1968.

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 May 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3657

PRAYER FOR PEACE, MEMORIAL DAY, 1965

May 15, 1965

By the President of the United States of America

A Proclamation

On this Memorial Day, May 30, we will pay homage to our honored dead who gave their lives that this country might live in peace and freedom. Their numbers are legion, their deeds valorous, their memories hallowed.

They fought in the valleys of Pennsylvania, in the trenches at Verdun, and in the foxholes at Guadalcanal. Now America's sons are again making the highest sacrifice to protect for this and future generations the liberty won in past struggles.

Man possesses now the capacity to end war and preserve peace. We are able to eliminate poverty and share abundance, to overcome disease and illiteracy, and to bring to all our fellow citizens the fulfillment of their dream of a better life. We have the means to achieve these victories; now we need only the will.

We are a people with an abiding faith in a merciful God and in His goodness. It is not only fitting but necessary that we seek His guidance and help in the pursuit of these tasks.

For this purpose the Congress, in a joint resolution approved May 11, 1950 (64 Stat. 158), 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:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Memorial Day, Sunday, May 30, 1965, as a day of prayer for permanent peace, and I call upon the people of the Nation to pray for a lasting peace in which all mankind may reap the fruits of His blessing.

I designate the hour beginning in each locality at eleven o'clock in the morning of that day as the time for all Americans to join in prayer. I also urge the press, radio, television, and all other media of information to cooperate 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 fifteenth day of May in the year of our Lord nineteen hundred and sixty-five, and of the [SEAL] Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

Proclamation 3658

FLAG DAY, 1965

June 12, 1965

By the President of the United States of America

A Proclamation

WHEREAS the American flag has symbolized the strength, honor, ideals, and national aspirations of this country since 1777; and

WHEREAS people of many nationalities and religious beliefs have abandoned their worldly possessions and have fled their homelands, often at great risk to their lives, in order to find a haven, under our flag, from tyranny and oppression; and

WHEREAS Americans have worked, fought, and sacrificed to the end that they and their fellow citizens might continue to enjoy the life, liberty, and pursuit of happiness which constitute the heritage of every American and all free men; and

36 USC 157.

WHEREAS the Congress, by a joint resolution approved August 3, 1949 (63 Stat. 492), designated June 14 of each year as Flag Day in commemoration of the adoption of the flag of the United States by the Continental Congress on June 14, 1777, and requested the President to issue annually a proclamation calling for its observance:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby direct that the flag of the United States be displayed on all Government buildings on Monday, June 14, 1965, in observance of Flag Day and I call upon all fellow Americans to observe that day with appropriate ceremonies designed to honor our national emblem.

I urge every citizen to pledge once more his allegiance to our flag and to rededicate himself to the principles and ideals for which it is an inspiring tangible symbol. I also urge every American to remember the valiant sacrifices made by our forefathers and patriots through the years—both soldiers and civilians—in the name of our flag in order that our Nation might continue to be "the land of the free and the home of the brave."

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 June 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3659

CITIZENSHIP DAY AND CONSTITUTION WEEK, 1965

June 26, 1965

By the President of the United States of America

A Proclamation

For one hundred seventy-eight years the Constitution of the United States has been the symbol of man's capacity to govern himself.

It has fostered government of, by, and for the people.

From its wisdom have flowed growing concepts of liberty, justice, and human dignity.

We owe it our freedom, past, present—and future.

For the Constitution is a living document. It is as relevant today as on September 17, 1787. It endowed us with a concept of government and a charter of liberty that combine the wisdom of the ages with the urgency of the nuclear age.

The Constitution is still the certain guarantee of our basic rights.

It is still the promise of protection from government—and by government.

But liberty is a blessing that must be constantly nurtured. In this rapidly changing world every American must understand the system of government by which we live—and for which so many have died.

I call on all our people to rededicate themselves to those common purposes for which the Constitution was established:

"* * * to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity * * *."

In order to commemorate 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." Further, 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." In those resolutions the Congress called upon the President to urge the American people to observe those events each year with appropriate ceremonies and activities.

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, 1965; 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, 1965, 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 twenty-sixth day of June 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 eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3660

UNITED STATES SECRET SERVICE WEEK

July 1, 1965

By the President of the United States of America

A Proclamation

WHEREAS July 5, 1965, marks the one-hundredth anniversary of the establishment of the United States Secret Service; and

WHEREAS for a century the United States Secret Service has stood as guardian of the integrity of the securities and money of the United States; and

WHEREAS for nearly two-thirds of a century the United States Secret Service has borne the responsibility for protecting the Chief Executives of our Nation; and

WHEREAS the responsibilities entrusted to the small and dedicated force of the Secret Service are today of greatest importance to the orderly functioning of our system of government:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week of July 5 through July 11, 1965, as United States Secret Service Week; and I urge communities, civic organizations, and all citizens to participate in appropriate commemoration of the contributions which the Secret Service has made during its existence, and, especially, I ask that the appreciation of the Nation be extended to the men of the Secret Service, and to their families, for the spirit and standards of selfless service which have won the esteem and respect of the Nation during the century of the Service's discharge of the high duty assigned to it.

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 July in the year of our Lord nineteen hundred and sixty-five, and of the [SEAL] Independence of the United States of America the one hundred and eighty-ninth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3661

CAPTIVE NATIONS WEEK, 1965

By the President of the United States of America July 2, 1965

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 all peoples yearn for freedom and justice; and

WHEREAS these basic rights unfortunately are circumscribed or unrealized in many areas in the world; and

WHEREAS the United States of America has an abiding commitment to the principles of independence, personal liberty, and human dignity; and

WHEREAS it remains a fundamental purpose and intention of the Government and people of the United States of America to recognize and encourage constructive actions which foster the growth and development of national independence and human freedom:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning July 18, 1965, 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 second day of July 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 eighty-ninth.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3662

WORLD LAW DAY

By the President of the United States of America July 8, 1965

A Proclamation

WHEREAS the year 1965 has been designated by the United Nations General Assembly as International Cooperation Year, and I have so proclaimed it for the United States; and

WHEREAS international cooperation is essential to the achievement of a peaceful world order; and

WHEREAS the foundation for the peace of mankind within nations and among nations is a system of law and legal institutions; and

WHEREAS a system of law enables men and nations to avoid conflict, and legal institutions provide forums for the peaceful resolution of conflicts when they arise; and

WHEREAS the expansion of the Rule of Law in the World Community requires broad agreement on principles and terminology for multilateral treaties and conventions; and

WHEREAS those treaties require public support for the promise and potential of a world ruled by law; and

WHEREAS it is essential that the minds and hearts of men of good will of all nations be focused upon the necessity of world peace through law:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, believing that cooperation to build a world legal system is among the most beneficial projects that can be advanced by International Cooperation Year and in order to further the great objectives thus noted for achieving world peace, do hereby proclaim September 13, 1965, as World Law Day and call upon all public and private officials, members of the legal profession, citizens, and all men of good will to arrange appropriate observances and ceremonies in courts, schools, and universities, and other public 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 eighth day of July 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 3663

FIRE PREVENTION WEEK, 1965

July 14, 1965

By the President of the United States of America

A Proclamation

Losses by fire—especially those resulting from fires which could have been prevented—constitute a tragic waste of human and material resources.

Much of this waste is avoidable. Community fire prevention programs, effectively conducted, have contributed substantially to local and national development by reducing sharply the number of destructive fires.

Further progress can be made if every individual recognizes his responsibility for eliminating fire hazards and for participating in community fire prevention programs and related activities.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning October 3, 1965, as Fire Prevention Week.

I bid all citizens to support and promote the fire prevention and control efforts of their respective community fire departments. I urge State and local governments, the Chamber of Commerce of the United States, the American National Red Cross, and business, labor,

and farm 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 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 14th day of July in the year of our Lord nineteen hundred and sixty-five, 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 3664

COMMEMORATING THE ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE FOUNDING OF THE UNITED STATES COAST GUARD

By the President of the United States of America

August 3, 1965

A Proclamation

WHEREAS August 4, 1965, marks the one hundred and seventy-fifth anniversary of the founding of the United States Coast Guard, the Nation's oldest continuous seagoing service; and

WHEREAS the Coast Guard:

—protects or saves the lives and property of thousands of people each year through its vigilance and alertness;

—enforces United States law afloat and protects the integrity of United States shores;

—provides for the safety of the United States Merchant Marine and of numerous pleasure craft operating in our waters and on the high seas, through the establishment and maintenance of a system of aids to navigation and requirements for seaworthiness, proper equipment, and qualified personnel;

—maintains a state of readiness as a branch of the Armed Forces; and

WHEREAS it is fitting that the Coast Guard receive the recognition and support of all citizens in the accomplishment of its many tasks; and

WHEREAS the men of the Coast Guard who are called upon to act in situations of stress and danger draw a great part of their strength and courage from this recognition and support; and

WHEREAS the Congress, by a joint resolution approved August 3, 1965, has requested the President to issue a proclamation commemorating the one hundred and seventy-fifth anniversary, on August 4, 1965, of the founding of the United States Coast Guard at Newburyport, Massachusetts:

Ante, p. 427.

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 the one hundred and seventy-fifth anniversary of the founding of the Coast Guard on August 4, 1965, with appropriate ceremonies and activities.

I also urge appropriate State and local officials, as well as public and private organizations, to join in the observance of this milestone in the history of the Coast Guard.

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 August 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 3665

GENERAL PULASKI'S MEMORIAL DAY, 1965

August 3, 1965

By the President of the United States of America

A Proclamation

WHEREAS Casimir Pulaski, Polish patriot and valiant defender of freedom, offered his services to the Continental Army during the American war for independence; and

WHEREAS Congress acknowledged his brilliant military leadership at Brandywine by awarding him the rank of brigadier general and allowing him to form an independent corps of cavalry and light infantry which won acclaim as Pulaski's Legion; and

WHEREAS this year marks the one hundred and eighty-sixth anniversary of his death from wounds received while leading a cavalry charge during the siege of Savannah, Georgia; and

WHEREAS it is proper that the American people continue to pay grateful tribute to General Pulaski for his heroic sacrifice in freedom's cause, and to the manifold and continuing contributions of Polish Americans in the defense and progress of this Nation;

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Monday, October 11, 1965, 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 the noble cause for which he gave his life.

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 August 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 3666

LEIF ERIKSON DAY, 1965

By the President of the United States of America August 12, 1965

A Proclamation

WHEREAS the intrepid seafarer, Leif Erikson, and his dauntless crew of Vikings sailed across uncharted seas to explore the shores of North America, opening the way to a new world bountifully endowed for millions who would later seek there a new life; and

WHEREAS recent archeological discoveries in Newfoundland attest to the coming of the hardy Norse seafarers to these shores almost a thousand years ago; and

WHEREAS Leif Erikson, a pathfinder in the stirring period of Norse colonization and discovery, is of special significance and inspiration to the ten million Americans of Scandinavian descent; and

WHEREAS it is particularly fitting to give national recognition to this bold explorer today, when men of similar courage and resourcefulness are challenging the equally formidable unknowns of our own times; and

WHEREAS 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: 36 USC 169c.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Saturday, October 9, 1965, 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 twelfth day of August 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 3667

SMITHSON BICENTENNIAL CELEBRATION

By the President of the United States of America August 13, 1965

A Proclamation

James Smithson of London, England, on June 27, 1829, bequeathed his estate to the United States of America "to found at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men." By subsequent acts of Congress, the United States received Smithson's property and accepted his trust. In faithful execution of this trust, by Act of Congress approved on August 10, 1846, the President, the Vice Presi- 20 USC 41 *et seq.*

dent, the Chief Justice, and the heads of the executive departments were "constituted, an 'establishment,' by the name of the 'Smithsonian Institution,' for the increase and diffusion of knowledge among men."

The direction of the affairs of the Institution was entrusted to a Board of Regents comprised of the Chief Justice, the Vice President, three Senators and three Representatives, and six other distinguished citizens of the United States. The Smithsonian Institution, in carrying out its mandate, has striven to serve as the cutting edge of original research in advancing the frontiers of knowledge beyond the limits of the practical, profitable, and obvious. In pursuing knowledge to its outer limits, it has willingly relinquished to others the task of applying the results of its original research in various fields. Thus, the former U.S. Weather Bureau and the Fish and Wildlife Service, among other organizations, were derived from programs first undertaken by the Smithsonian Institution.

It is particularly noteworthy that James Smithson, in setting forth the ideal of the "increase and diffusion of knowledge among men" as the mission of this organization, ignored considerations of nationality, private interest, and narrow scholarly specialization. Through the agency of the Institution and its bureaus (such as the Smithsonian Astrophysical Observatory and the International Exchange Service), Smithson's universal ideal has been carried around the world, raising scholarly standards abroad and at home by the fruitful interchange of ideas and knowledge. Furthermore, Anglo-American friendship has been promoted in the past by acts such as Smithson's bequest and will be served in the future by reciprocal acts of disinterested encouragement to scholarship.

Ideals of justice as well as knowledge are served by honoring those men of any country and any time who seek to further the cause of man himself, and any institution dedicated to such ideals must constantly rededicate itself to them. In rededication to Smithson's ideal, and on the anniversary of the bicentennial of his birth, the Board of Regents and the Secretary of the Smithsonian Institution have invited prominent scholars, scientists, and representatives of universities, museums, and learned societies to Washington for a program of addresses, papers, and discussions concerning the broad problems of man and his relationship to his environment. The Congress, by a joint resolution approved August 13, 1965, has called upon the President to issue a proclamation in commemoration of this historic event.

Ante, p. 518.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, and presiding officer of the Smithsonian Institution, hereby proclaim the occasion of the bicentennial celebration of the birth of James Smithson; and I designate and set aside September 17 and 18, 1965, as special days to honor the memory of James Smithson and the accomplishments of the Institution that bears his name.

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 August 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 3668

NATIONAL HIGHWAY WEEK, 1965

By the President of the United States of America August 17, 1965

A Proclamation

WHEREAS the continued improvement of highways is vital to our Nation's social and economic welfare and national defense; and

WHEREAS adequate highways save lives, save time, save money, and increase the employment and recreational opportunities of all Americans; and

WHEREAS the Federal, State, and local governments are engaged in a cooperative program to construct highways that are safer, more efficient, more economical, and more beautiful; and

WHEREAS I have directed that priority be given to improving safety at high-accident locations on our highways; and

WHEREAS I have called for a major effort to beautify our highways and roadsides, and to construct scenic and recreational roads:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning September 19, 1965, as National Highway Week in recognition of the importance of highway transportation to the social and economic progress and defense of our Nation; and I urge the Governors of the States and mayors of cities to issue similar proclamations.

I also ask appropriate officials of the Federal, State, and local governments, as well as public and private organizations and the general public, to join in this observance.

During this week I urge all Americans to give recognition to the value of highway transportation to their own activities and to our national welfare.

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 17th day of August in the year of our Lord nineteen hundred and sixty-five, 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 3669

NATIONAL AMERICAN LEGION BASEBALL WEEK

By the President of the United States of America August 23, 1965

A Proclamation

WHEREAS American Legion junior baseball has provided programs of sport and recreation for 15 million young Americans since 1925; and

WHEREAS American Legion junior baseball performs a vital service to our youth by offering them opportunities to develop physical fitness, to learn the value of teamwork and mutual cooperation, to

acquire respect for other persons, rules, and property, as well as opportunities to develop individual skills and to advance to professional careers in the sport of baseball; and

WHEREAS the annual American Legion World Series for 1965 will be played at Aberdeen, South Dakota, during the period from August 31 through September 6; and

Ante, p. 548.

WHEREAS the Congress, by a joint resolution approved August 23, 1965, has requested the President to designate the period from August 31 through September 6, 1965, as National American Legion Baseball Week:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the period from August 31 through September 6, 1965, as National American Legion Baseball Week, and I invite the Governors of the several States to join me in issuing similar proclamations.

I call upon all sports organizations, community leaders, parents and other interested citizens to arrange appropriate observances of National American Legion Baseball Week and to join hands in the effort to strengthen all programs which contribute to the healthy physical and moral development of our youth.

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 August 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.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3670

NATIONAL FOREST PRODUCTS WEEK, 1965

September 11, 1965

By the President of the United States of America

A Proclamation

WHEREAS this Nation has been endowed with bountiful forest resources that yield the timber products that are essential to the growth of our economy, the welfare of our people, and the development of our industries; and

WHEREAS these forests also contribute to the attainment of a more beautiful and better way of life for our citizens by providing a place of natural retreat and a place for recreation; and

WHEREAS these forests provide other essential natural benefits in the form of watershed protection, forage, and wildlife habitat; and

WHEREAS many communities of our country depend on the resources of our forests for their livelihood and for the well-being of their people; and

WHEREAS the Congress, wishing to re-emphasize the importance and heritage of our forest resources, has by the joint resolution of September 13, 1960 (74 Stat. 898) designated the seven-day period

36 USC 163.

beginning on the third Sunday of October in each year as National Forest Products Week, and has requested the President to issue an annual proclamation calling for the observance of that week:

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 the week beginning October 17, 1965, 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 eleventh day of September 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 3671

NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1965

By the President of the United States of America September 11, 1965

A Proclamation

During the twenty years since World War II, this Nation has made giant strides in extending full opportunities to her handicapped citizens. In greater numbers than ever, the handicapped today are finding their rightful places in business and industry across the land.

Record numbers of the handicapped are being rehabilitated under Federal-State programs; placements of the handicapped by public employment offices are at high levels; and the Federal Government has been employing the handicapped in greater numbers than before.

All this is gratifying. America's fine record of acceptance of the handicapped is one of the highlights of our time.

Yet, we cannot be complacent. Although much progress has been made, the victory has not yet been won. There remains much for us to do.

Many handicapped men and women, particularly those with more severe physical and mental disabilities, still remain outside the mainstream of American life. The doors to employment remain closed to them not because of their inability to work but because society has not fully recognized their abilities.

America has not yet completely learned that the handicapped can have as much ability as the able-bodied, and sometimes even more.

Working together, we can open new doors of opportunity for the handicapped. We can broaden their vistas and raise their hopes. In so doing, we can strengthen our Nation, for our strength rests in the participation of all our citizens and not just some of our citizens.

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 36 USC 155.

first 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 3, 1965, for such purpose.

During that week 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 eleventh day of September 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 3672

NATIONAL SCHOOL LUNCH WEEK, 1965

September 18, 1965

By the President of the United States of America

A Proclamation

WHEREAS the national school lunch program, now in its nineteenth year, makes available a wholesome, appetizing lunch to over 18 million children in 70,000 schools which participate in the program; and

WHEREAS this program helps to provide many of our less fortunate children with a well-balanced and nutritious diet which enhances their vitality and their ability to obtain the maximum benefit from the learning process; and

WHEREAS the national school lunch program encourages the domestic consumption of food which is made available in unprecedented abundance through the efficiency of our farmers and our highly developed food marketing system; and

WHEREAS the national school lunch program is an outstanding example of a local-State-Federal partnership to protect the health and well-being of the Nation's children and thus to strengthen the national security; and

WHEREAS, in order to recognize the value and achievements of the school lunch program, the Congress, by a joint resolution approved 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:

36 USC 168.

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 10, 1965, 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 eighteenth day of September 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 3673

COLUMBUS DAY, 1965

September 22, 1965

By the President of the United States of America

A Proclamation

WHEREAS Christopher Columbus four hundred and seventy-three years ago journeyed westward across forbidding and unknown seas to open the way for the eventual establishment of our Nation and its free institutions; and

WHEREAS the compelling drive of Columbus to seek new horizons has been an inspiration through the centuries to millions with the same enterprising spirit; and

WHEREAS the persistence and daring of Columbus has left a heritage which sustains us now as we explore the unknown reaches of outer space; and

WHEREAS the Congress, in recognition of our indebtedness to Christopher Columbus, by a joint resolution approved April 30, 1934 (48 Stat. 657), requested the President to issue a proclamation designating October 12 of each year as Columbus Day: 36 USC 146.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate Tuesday, October 12, 1965, as Columbus Day; and I invite the people of this Nation to observe that day in schools and other suitable places with appropriate ceremonies in honor of the memory of Christopher Columbus.

I also direct that the flag of the United States be displayed on all public buildings on Columbus Day.

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 September 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 3674

AMERICAN EDUCATION WEEK, 1965

September 29, 1965

By the President of the United States of America

A Proclamation

In our schools and colleges rest our hopes for the future: our highest aspirations for our children, for our country and for the world.

For education brings benefits without limits. It endows men not only with the ability to make a living, but with the precious capacity to live with purpose.

It is the richest legacy this generation can bequeath to the next; upon it depends fulfillment for our nation and for every American citizen.

We must, therefore, strive ceaselessly to enrich our educational system, to assure that the benefits of that system flow freely and abundantly to all citizens.

We must assess the educational needs of the Nation—and we must labor constantly to fulfill those needs.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the period from November 7 through November 13, 1965, as American Education Week.

I call upon all Americans to consider deeply the aims and goals of American education. I urge parents to acquaint themselves fully with both the problems and the promise of their schools. And I urge each community to study the needs of its schools and to use all the resources at its command to make equal educational opportunity a reality for all 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 twenty-ninth day of September 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.

[SEAL]

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

Proclamation 3675

CHILD HEALTH DAY, 1965

September 29, 1965

By the President of the United States of America

A Proclamation

WHEREAS the best hope for the future of any country rests with its children; and

WHEREAS it is imperative that each child in this land be afforded the opportunity to develop to the full extent of his individual potential capabilities; and

WHEREAS it is our obligation as a Nation to make every reasonable effort to provide our children with the best possible physical and mental health care so that they will have a meaningful opportunity to develop their full potential; and

WHEREAS we have the resources and the incentive to give our children constantly improving medical care as a result of the unprecedented advances that are being made in scientific, medical, and social attainments; and

WHEREAS the observance of a special day emphasizing child health serves effectively to underscore these goals; and

WHEREAS the Congress, by a joint resolution of May 18, 1928, 45 Stat. 617, as amended by a joint resolution of September 22, 1959, 73 Stat. 627 (36 U.S.C. 143), requested the President of the United States to issue annually a proclamation setting apart the first Monday in October as Child Health Day; and

WHEREAS 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 4, 1965, as Child Health Day; and I invite all persons and all agencies and organizations interested in the health and welfare of children to unite on that day in observances that will bolster our efforts to foster their growth into full participants in 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-ninth day of September in the year of our Lord nineteen hundred and sixty-
[SEAL] five, 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 3676

VETERANS DAY, 1965

September 30, 1965

By the President of the United States of America

A Proclamation

As a nation and as a people, world peace is our fixed star and our first goal. As a symbol of our devotion to this objective, the Congress of the United States has set apart the eleventh of November as a legal holiday, to be known as Veterans Day and to be dedicated to the cause of world peace (Act of May 13, 1938, 52 Stat. 351, as amended (5 U.S.C. 87a)).

On this day, we pay deserved honor to the millions of our fellow citizens who have served in the armed forces of our country in times of war and of conflict and, in grateful appreciation of their devotion and sacrifice, we give outward expression to our deep-seated desire for world peace. Our observance of this day serves to remind us that it is by our deeds and not by our words that we can and will lead the rest of the world in the cause of freedom and peace.

We must never forget that it is not enough just to want peace or to talk peace or to hope for peace. We must constantly work for peace.

Exerting our own best efforts and working together with other nations, we can and will build an order of world peace which will endure for generations.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, call upon all the people of our Nation to observe Thursday, November 11, 1965, as Veterans Day, commemorating the service of our war veterans and showing our continued dedication to the cause of world peace and the establishment of a world community in which every nation can follow its own course without fear of its neighbors.

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 Veterans Day. Also, in order that this day may be marked with suitable exercises and public ceremonies throughout our Nation, I request the officials of the Federal and State Governments and of civic and patriotic organizations to give their enthusiastic support to the Veterans Day National Committee.

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-five, [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 3677

SEE THE UNITED STATES THROUGH 1966

October 2, 1965

By the President of the United States of America

A Proclamation

78 Stat. 1259.

WHEREAS By Proclamation No. 3607 of August 15, 1964, I designated the years 1964 and 1965 as a period in which all persons were especially invited to see the United States; and

WHEREAS our people are striving through private initiative and through public programs at all levels of Government to preserve and develop the beauty of this land; and

WHEREAS they are touring the length and breadth of this land to observe personally the splendor of their country and through these travels are becoming increasingly aware of the destiny of their Nation; and

WHEREAS foreign tourists are seeing America and visiting her national shrines and natural wonders in mounting numbers; and

WHEREAS continuing efforts are being made to make their stay on our shores more enjoyable and to give them a better understanding of our homeland, its history, and its tradition; and

WHEREAS a number of festivals, fairs, pageants, and other ceremonials will take place in 1966 in the United States, its territories and possessions, and the Commonwealth of Puerto Rico; and

WHEREAS the Congress by the joint resolution of October 2, 1965, has requested the President to extend through 1966 the period designated to see the United States and its territories and to issue a proclamation specially inviting citizens of other countries to visit the festivals, fairs, pageants, and other ceremonials to be celebrated in 1966 in our country:

Ante, p. 910.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby extend through the year 1966 the period during which all persons are specially invited to see the United States, visit our historic shrines, our natural wonders, and our great recreational areas and facilities; and I extend a special invitation to citizens of other countries to visit the festivals, fairs, pageants, and other ceremonials that will take place in 1966 in the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico.

I also invite private industry and interested private organizations during this period to continue to encourage both American citizens and citizens of other countries to visit these festivals, fairs, pageants, and other ceremonials and to explore, use, and enjoy the scenic, historical, and recreational areas and facilities throughout the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico.

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 October 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.

Proclamation 3678

NATIONAL FARM-CITY WEEK, 1965

October 6, 1965

By the President of the United States of America

A Proclamation

WHEREAS the American consumer enjoys such a great abundance of farm products, manufactured goods, and services that his standard of living is the highest in the world; and

WHEREAS the urban citizen relies on the farmer for a never-ending flow of high quality farm products to feed, clothe, and shelter him; and

WHEREAS the farmer similarly looks to his fellow city workers for a myriad variety and quantity of manufactured goods, and the machines and power he needs for his work; and

WHEREAS farm and city workers have increased their efficiency to the extent that this Nation was able to produce a record 622 billion dollars worth of goods and services last year; and

WHEREAS the American consumer now spends a record low of about 18½ per cent of his disposable income for food compared with 27 per cent during the late 1940's; and

WHEREAS this Nation's abundance now brings within our reach the world's first victory in the war against poverty and offers new hope to the impoverished peoples of the world; and

WHEREAS our national effort to conserve and develop the Natural Beauty of America requires the cooperative action of all Americans, rural and urban:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week of November 19 through November 25, 1965, as National Farm-City Week, and call upon citizens throughout the Nation to participate in observance of that week.

I request that leaders of civic associations, youth and women's clubs, farmers' organizations, business groups and labor unions, and all consumers join in this observance in appreciation of the important contributions that the farmer makes to the welfare of urban people, and the city worker to the welfare of people living on farms.

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 place emphasis on the responsibilities of rural and urban citizens in the war against poverty, in the creation of new jobs and new sources of income, in improving educational, medical, and other community services, and in developing and preserving the natural beauty of America.

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 October 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.

Proclamation 3679

WHITE CANE SAFETY DAY, 1965

October 7, 1965

By the President of the United States of America

A Proclamation

On the streets and highways of our nation, the white cane instantly identifies the blind person, proudly coming and going on his own, but highly dependent for safety upon the courtesy and consideration of others. To make our people more fully aware of the significance of the white cane, and of the need for 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 proclaim October 15 of each year 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, 1965, 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 meaning of the white cane, and thus contribute to the safety of our blind citizens.

I call upon all our citizens to join individually in this effort, that blind persons in our society may continue to enjoy a high degree of 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 seventh day of October 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

Approved Cabinet Room,

WHITE HOUSE.
October 7, 1965.

By the President:

GEORGE W. BALL,
Acting Secretary of State.

Proclamation 3680

NATIONAL DAY OF PRAYER, 1965

October 7, 1965

By the President of the United States of America

A Proclamation

Even as they deliberated the conception of this Nation, our forefathers, mindful of the frailties of mortal men, turned for guidance to Almighty God.

Their humble and sincere prayer, delivered in their belief that all good things are the gift of God, established a reliance that remains unbroken.

As did our founding fathers, our people continue to place their trust in God.

Time and time again we have turned to Him for succor, and time and time again He has answered with manifestations of abundance.

In our own times, the Congress by a joint resolution of April 17, 1952, provided—that the President "shall set aside and proclaim a suitable day each year, other than a Sunday, 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."

66 Stat. 64.
36 USC 185.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby set aside Wednesday, October 20, 1965, as National Day of Prayer, 1965.

Few nations have been so favored by Almighty God, and it is altogether fitting that a day be set aside for this purpose.

Thus it is in the same spirit of humility and conviction demonstrated by our forefathers that I urge each citizen, according to his own conscience, to pause on that day to acknowledge our dependence upon God.

In these days of peril and uncertainty, I urge that each of us plead for wisdom, strength and courage.

I urge that we pray for God-given vision and determination to make the sacrifices demanded by our responsibilities to our fellow men in our own Nation and in other lands of this 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 seventh day of October 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.

Proclamation 3681

SERVICE COURTS OF FRIENDLY FOREIGN FORCES WITHIN THE UNITED STATES

October 10, 1965

By the President of the United States of America

A Proclamation

WHEREAS the Act of June 30, 1944, entitled "An Act to implement the jurisdiction of service courts of friendly foreign forces within the United States, and for other purposes" (58 Stat. 643; 22 U.S.C. 701–706), provides in part as follows:

> "Sec. 6. This Act shall be operative with respect to the military, naval, or air force of any foreign state only after a finding and declaration by the President that the powers and privileges provided herein are necessary for the maintenance of discipline. The President may at any time revoke such finding and declaration."

WHEREAS there are within the United States military, naval, or air forces of Australia;

WHEREAS the Government of Australia has made known its desire to exercise within the United States jurisdiction over offenses committed by members of their respective military, naval, or air forces; and

WHEREAS the Australian Government has recognized the right of the United States military authorities to exercise jurisdiction over certain offenses committed by members of the United States armed forces in Australian territory and are undertaking to make available appropriate facilities for the effective exercise of such jurisdiction:

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 Section 6 of the Act of June 30, 1944, do find and declare that the powers and privileges provided in that Act to implement the jurisdiction of courts martial or other military tribunals of friendly foreign forces within the United States are necessary for the maintenance of discipline of the military, naval, or air forces of Australia within 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 tenth day of October 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 3682

IMPLEMENTING AGREEMENT CONCERNING AUTOMOTIVE PRODUCTS BETWEEN THE UNITED STATES AND CANADA

By the President of the United States of America

October 21, 1965

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;

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);

79 Stat. 1016.
19 USC 2001 note.
77A Stat. 3.

WHEREAS sections 201(a) and 203 of the Automotive Products Trade Act of 1965 authorize the President to proclaim the modifications of the Tariff Schedules of the United States provided for in sections 403, 404, and 405 of that Act with retroactive effect as of the earliest date after January 17, 1965, which he determines to be practicable, and section 401(b) of that Act provides that the rates of duty in column numbered 1 of the tariff schedules that are modified pursuant to such proclamation shall be treated as having been proclaimed by the President as being required to carry out a foreign trade agreement to which the United States is a party (79 Stat. 1016); and

19 USC 2011, 2013.
19 USC note prec. 1202.

WHEREAS I determine 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(a) and 203 of the Automotive Products Trade Act of 1965, do proclaim (1) that the modifications of the Tariff Schedules of the United States provided for in sections 403 and 404 of that Act shall enter into force on the day following the date of this proclamation, and (2) that the modifications of the tariff schedules provided for in section 405 of that Act shall enter into force on Decem-

ber 20, 1965, 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 twenty-first day of October 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 3683

TERMINATION OF QUANTITATIVE LIMITATIONS ON IMPORTS OF UNMANUFACTURED LEAD AND ZINC

October 22, 1965

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, effective on and after January 1, 1948, 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 articles of unmanufactured zinc provided for in item 394 of Part I of Schedule XX of the General Agreement (61 Stat. (pt. 5) A1219); and, on April 21, 1951, entered into, and by Proclamation No. 2929 of June 2, 1951 (65 Stat. c12), proclaimed, effective on and after June 6, 1951, the Torquay Protocol to the General Agreement, including concessions with respect to certain articles of unmanufactured lead and zinc provided for in items 391, 392, 393, and 394 of Part I of Schedule XX of the Torquay Protocol (3 U.S.T. (pt. 1) 1167);

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), the President by Proclamation No. 3257 of September 22, 1958 (73 Stat. c3), proclaimed, effective on and after October 1, 1958, that the concessions with respect to the articles of unmanufactured lead and zinc identified in the first recital of this proclamation should be modified and that such articles should be subject to certain specified quantitative limitations, until the President should otherwise proclaim;

19 USC note prec. 1202.

77A Stat. 3.
19 USC 1202.

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 2929 insofar as those proclamations proclaimed the concessions with respect to the articles of unmanufactured lead and zinc identified in the first recital of this proclamation (see Part 1 and Subparts G and H of Part 2 of Schedule 6 of the Tariff Schedules of the United

States), and (2) the provisions of Proclamation No. 3257 (see Subpart A of Part 2 of the Appendix to the Tariff Schedules of the United States); 73 Stat. c3.

77A Stat. 435. 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 June 8, 1965, submitted to me a report (30 F.R. 7619) advising me of its judgment as to the probable economic effect on the domestic industry concerned of the reduction or termination of the quantitative limitations specified in Proclamation No. 3257 (now reflected, with modifications, in Subpart A of Part 2 of the Appendix to the Tariff Schedules of the United States);

5. WHEREAS, in relation to the possible reduction or termination of such quantitative limitations, 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

3 CFR, 1959-1963 Supp., p. 692. 28 F.R. 473.

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 quantitative limitations specified in Proclamation No. 3257 (now reflected, with modifications, in Subpart A of Part 2 of the Appendix to the Tariff Schedules of the United States) is in the national interest:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting pursuant to 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. 3257 shall be terminated.

(2) The following parts of the Appendix to the Tariff Schedules of the United States (reflecting, with modifications, the quantitative limitations specified in Proclamation No. 3257) shall be revoked:

(a) Items 925.01, 925.02, 925.03, and 925.04;

(b) The article description immediately preceding item 925.01; and

(c) Headnote 2 of Subpart A of Part 2.

(3) The concessions with respect to the articles of unmanufactured lead and zinc identified in the first recital of this proclamation shall be applied without quantitative limitations, in accordance with the provisions of Part 1 and Subparts G and H of Part 2 of Schedule 6 of the Tariff Schedules of the United States (reflecting, with modifications, concessions proclaimed by Proclamations Nos. 2761A and 2929). 61 Stat. 1103; 65 Stat. c12.

(4) The actions proclaimed in paragraphs (1), (2), and (3) above shall be effective as follows:

(a) On the date of this proclamation, with respect to such articles provided for in items 925.01 and 925.02 of the Appendix to the Tariff Schedules of the United States as are entered, or withdrawn from warehouse, for consumption on or after such date; and

77A Stat. 438.
19 USC 1202.

(b) On the 30th day following the date of this proclamation, with respect to such articles provided for in items 925.03 and 925.04 of the Appendix to the Tariff Schedules of the United States as are entered, or withdrawn from warehouse, for consumption on or after the 30th day following such date.

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 October 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.

[SEAL]

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

Proclamation 3684

NATIONAL PARKINSON WEEK

October 23, 1965

By the President of the United States of America

A Proclamation

WHEREAS many of our people are now afflicted with Parkinson's disease and more than 25,000 additional persons become victims of that disease each year; and

WHEREAS Parkinson's disease is one of the most prevalent neurological disorders; and

WHEREAS the causes of Parkinson's disease are still unknown; and

WHEREAS many persons have dedicated themselves to treating and rehabilitating persons afflicted with Parkinson's disease and to conducting research into the cause or causes of that disease and a cure for it; and

Ante, p. 1070.

WHEREAS the Congress, by a joint resolution of October 23, 1965, has requested the President to designate the week beginning October 25, 1965, as National Parkinson Week:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning October 25, 1965, as National Parkinson Week. 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 call upon the communications media, the medical and health professions, and all agencies and individuals interested in a national program for the control of Parkinson's disease to unite during that week in public dedication to such a program and in a concerted effort to impress upon the people of the United States the necessity for such a 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 23rd day of October 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.

GUIDE TO LEGISLATIVE HISTORY OF BILLS ENACTED INTO PUBLIC LAW

(89th CONGRESS 1ST SESSION)

NOTE: Companion bills are in parentheses

Public Law		79 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage Congressional Record, Vol. 111 (1965)	
				House		Senate		House	Senate
No.	Date approved								
	1965								
89-1	Jan. 13	3	S.J. Res. 3 (H.J. Res. 123).					Jan. 6, 7	Jan. 6.
89-2	Feb. 11	4	H.J. Res. 234	2 36	Appropriations [Conference]	52	Appropriations	Jan. 26; Feb. 8, 10.	Feb. 2, 3, 10.
89-3	Mar. 3	5	H.R. 3818	14	Banking and Currency.	65	Banking and Currency.	Feb. 9	Feb. 17, 18.
89-4	Mar. 9	5	S. 3	51	Public Works	13	Public Works	Mar. 1-3	Jan. 29; Feb. 1.
89-5	Mar. 12	23	S. 301	110	Judiciary	60	Judiciary	Mar. 1	Feb. 10; Mar. 4.
89-6	Mar. 24	23	H.R. 45 (S. 805)	27 137	Banking and Currency. [Conference]	67	Foreign Relations	Feb. 17, 18; Mar. 4.	Feb. 23-25; Mar. 8.
89-7	Mar. 29	24	S.J. Res. 48			122	Judiciary	Mar. 16	Mar. 15.
89-8	do	25	S.J. Res. 47			113	Judiciary	Mar. 17	Mar. 15.
89-9	Apr. 2	26	H.R. 1496	54	Armed Services	121	Armed Services	Feb. 23; Mar. 23.	Mar. 11.
89-10	Apr. 11	27	H.R. 2362	143	Education and Labor	146	Labor and Public Welfare.	Mar. 24-26	Apr. 6-9.
89-11	Apr. 14	58	S. 307 (H.R. 824).	102	Judiciary	76	Judiciary	Mar. 29	Mar. 15; Apr. 1.
89-12	Apr. 16	66	H.R. 5721	147 228	Agriculture [Conference]	145	Agriculture and Forestry.	Mar. 23; Apr. 8.	Apr. 5, 8.
89-13	Apr. 20	73	H.R. 4527	149	Merchant Marine and Fisheries.	148	Commerce	Mar. 18	Apr. 6.
89-14	Apr. 22	74	H.R. 4778 (S. 1570).	192	Interior and Insular Affairs.	151	Interior and Insular Affairs.	Apr. 5	Apr. 9.
89-15	Apr. 26	75	S. 974 (H.R. 4257).	170 231	Education and Labor [Conference]	123	Labor and Public Welfare.	Apr. 1, 13	Mar. 16; Apr. 9.
89-16	Apr. 30	81	H.R. 7091	224 270	Appropriations [Conference]	167	Appropriations	Apr. 6, 29	Apr. 27, 29.
89-17	May 1	109	H.R. 2594	35	Post Office and Civil Service.	158	Post Office and Civil Service.	Feb. 10	Apr. 13.
89-18	May 7	109	H.J. Res. 447	286	Appropriations	176	Appropriations	May 5	May 5, 6.
89-19	May 15	110	S. 60 (H.R. 908).	238	Interior and Insular Affairs.	63	Interior and Insular Affairs.	May 3	Feb. 10; May 5.

GUIDE TO LEGISLATIVE HISTORY OF BILLS ENACTED INTO PUBLIC LAW—Continued

NOTE: Companion bills are in parentheses

Public Law		79 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage Congressional Record, Vol. 111 (1965)	
No.	Date approved			House		Senate		House	Senate
	1965								
89-20	May 15	111	H.R. 5702	207	Agriculture	174	Commerce	Apr. 5	May 3.
89-21	May 21	111	H.R. 7855	293	Merchant Marine and Fisheries.	182	Commerce	May 6	May 10.
89-22	do	112	H.R. 7064	225	Foreign Affairs	175	Foreign Relations	Apr. 5	May 7.
89-23	May 22	112	S. 701	252	Ways and Means	53	Finance	May 12	Feb. 2; May 13.
89-24	do	113	H.R. 66	16	District of Columbia	179	District of Columbia	Feb. 8	May 11.
89-25	do	114	H.J. Res. 195	141	District of Columbia	184	District of Columbia	Mar. 8	May 11.
89-26	do	116	H.R. 3043	30	Armed Services	173	Armed Services	Feb. 10; May 11.	Apr. 30.
89-27	May 27	118	H.R. 2998	37 233	Foreign Affairs [Conference]	73	Foreign Relations	Feb. 17; Apr 13	Mar. 9, 10; May 14.
89-28	do	118	S. 702 (H.R. 2983).	277	Interior and Insular Affairs.	152	Interior and Insular Affairs.	May 17	Apr. 9.
89-29	do	118	H.J. Res. 436	345	Agriculture			May 19	May 20.
89-30	June 2	118	H.R. 3995	103	Judiciary	234	Judiciary	Mar. 15	May 24.
89-31	do	119	H.R. 6497	222	Banking and Currency	196	Foreign Relations	Apr. 27	May 24.
89-32	do	120	H.R. 8122 (S. 1957).	349	Joint Committee on Atomic Energy.	191	Joint Committee on Atomic Energy.	May 20	May 24.
89-33	June 5	123	S. 339 (H.R. 500).	232	Interior and Insular Affairs.	150	Interior and Insular Affairs.	May 3	Apr. 9; May 24.
89-34	do	124	H.R. 6691	262	Judiciary	244	Agriculture and Forestry.	May 3	May 26.
89-35	do	124	H.R. 806 (S. 1129).	328	Interstate and Foreign Commerce.	161	Commerce	May 17	May 26.
89-36	June 8	125	H.R. 7031	307	Education and Labor	245	Labor and Public Welfare.	May 17	May 26.
89-37	June 11	127	S. 800 (H.R. 7657).	271 374	Armed Services [Conference]	144	Armed Services	May 5, 26	Apr. 6; May 27.
89-38	June 12	129	H.R. 821	55	Judiciary	204	Judiciary	Mar. 15; May 27.	May 24.
89-39	June 14	129	S. 435 (H.R. 5798).	351	Interior and Insular Affairs.	70	Interior and Insular Affairs.	May 20	Mar. 4; June 1.
89-40	do	130	H.R. 7597	285	Veterans' Affairs	246	Finance	May 5	June 1.
89-41	June 17	131	S. 2089	482	Public Works	276	Public Works	June 15	June 7.
89-42	June 18	134	H.R. 6755	309	Public Works	266	Public Works	May 12; June 10.	June 2.
89-43	do	135	S. 1135 (H.R. 4623).	184	Government Operations.	154	Government Operations.	June 3	Apr. 9.

89-44	June 21	136	H.R. 8371	433	Ways and Means	324	Finance	June 2, 17	June 15, 17.
				525	[Conference]				
89-45	June 22	170	H.R. 1782	34	Post Office and Civil Service.	307	Post Office and Civil Service.	Feb. 10	June 11.
89-46	do	171	H.R. 7777 (S. 1900).	430	Interstate and Foreign Commerce.	271	Commerce	June 3	June 17.
89-47	June 24	171	H.R. 1732	361	Post Office and Civil Service.	308	Post Office and Civil Service.	June 7	June 11.
89-48	do	172	S. 1000	435	Interior and Insular Affairs.	141	Interior and Insular Affairs.	June 7	Mar. 29; June 9.
89-49	do	172	H.R. 8464	438	Ways and Means	330	Finance	June 9	June 15, 16.
89-50	do	173	H.R. 214	5	Veterans' Affairs	316	Armed Services	Feb. 2	June 15.
89-51	June 28	173	H.R. 7762	348	Armed Services	315	Armed Services	June 7	June 15.
89-52	do	174	H.R. 6767	205	Appropriations	172	Appropriations	Mar. 30; June 15.	May 26; June 15.
				513	[Conference]				
89-53	do	192	H.R. 7717	273	Science and Astronautics.	188	Aeronautical and Space Sciences.	May 6; June 16	June 1, 2, 16.
				514	[Conference]				
89-54	do	195	H.R. 3165	234	Interior and Insular Affairs.	321	Interior and Insular Affairs.	Apr. 26	June 16.
89-55	June 30	195	H.J. Res. 541					June 24	June 24.
89-56	do	195	H.R. 5988	334	Merchant Marine and Fisheries.	364	Commerce	May 17	June 24.
89-57	do	196	H.R. 7060	223	Appropriations		Appropriations	Apr. 5; June 28	June 8, 28.
				550	[Conference]	275			
89-58	do	204	H.J. Res. 553	553	Appropriations			June 28	June 28.
89-59	do	206	S. 1796	354	Banking and Currency		Banking and Currency	June 21	May 7.
89-60	do	207	H.R. 6032 (S. 1582).	335	Interior and Insular Affairs.	177 326	Interior and Insular Affairs.	May 17	June 16, 17.
89-61	do	207	H.R. 4493	446	Ways and Means		Finance	June 9	June 29.
89-62	do	208	H.R. 8147	366	Ways and Means	379	Finance	June 7, 30	June 29, 30.
				570	[Conference]	376			
89-63	do	209	H.R. 7105	434	Banking and Currency		Banking and Currency	June 8, 30	June 30.
89-64	July 7	210	H.R. 6848	263	Judiciary	363	Judiciary	May 3	June 24.
89-65	do	211	H.R. 3994	104	Judiciary	352	Judiciary	Mar. 15	June 24.
89-66	do	211	H.R. 4525	343	Merchant Marine and Fisheries.	349 380	Commerce	May 17	June 30.
89-67	do	212	H.R. 3996	58	Judiciary		Judiciary	Mar. 15	June 24.
89-68	do	212	H.R. 6507	264	Judiciary	350	Judiciary	May 3	June 24.
89-69	July 8	212	H.R. 8131 (S. 1566).	363	Education and Labor	351 318	Labor and Public Welfare.	June 24	June 29.
89-70	do	213	H.R. 5283	259	Judiciary		Judiciary	May 3	June 30.
89-71	July 9	213	H.R. 3415	332	Merchant Marine and Fisheries.	305 374	Commerce	May 17	June 30.
89-72	do	213	S. 1229 (H.R. 5269).	254	Interior and Insular Affairs.	149	Interior and Insular Affairs.	May 18; June 23.	Apr. 13; June 25.
				538	[Conference]				
89-73	July 14	218	H.R. 3708	145	Education and Labor	247	Labor and Public Welfare.	Mar. 31; July 6	May 27.

GUIDE TO LEGISLATIVE HISTORY OF BILLS ENACTED INTO PUBLIC LAW—Continued

NOTE: Companion bills are in parentheses

Public Law		79 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage Congressional Record, Vol. 111 (1965)	
No.	Date approved			House		Senate		House	Senate
	1965								
89-74	July 15	226	H.R. 2	130	Interstate and Foreign Commerce.	337	Labor and Public Welfare.	Mar. 9, 10; July 8.	June 23.
89-75	July 16	236	H.R. 6453	185 568	Appropriations [Conference]	333	Appropriations	Mar. 23; July 1	June 21, 22; July 13.
89-76	do	242	H.R. 5184	260	Judiciary	400	Judiciary	May 3	July 7.
89-77	July 21	243	H.R. 5874	164	Education and Labor	311	Labor and Public Welfare	Mar. 15; July 6	June 11.
89-78	do	243	H.R. 7847	353	Banking and Currency	382	Banking and Currency	June 10	July 7.
89-79	do	244	H.R. 5306	336	Banking and Currency	385	Banking and Currency	June 10	July 7.
89-80	July 22	244	S. 21 (H.R. 1111).	169 603	Interior and Insular Affairs. [Conference]	68	Interior and Insular Affairs.	Mar. 31; July 13.	Feb. 25; July 14.
89-81	July 23	254	S. 2080 (H.R. 8926).	509	Banking and Currency	317	Banking and Currency	July 13, 14	June 23, 24; July 15.
89-82	July 24	258	H.R. 9497	571	Agriculture	425	Agriculture and Forestry.	July 1	July 9.
89-83	do	259	H.R. 4185	113	Judiciary	301	Judiciary	Mar. 17; July 12.	June 15.
89-84	do	261	S. 2154	593	Interior and Insular Affairs.	370	Interior and Insular Affairs.	July 12	June 28.
89-85	do	262	S. 998	600	Merchant Marine and Fisheries.	325	Commerce	July 12	June 16.
89-86	do	263	H.R. 5246	331	Interstate and Foreign Commerce.	430	Commerce	May 17	July 12.
89-87	do	264	S. 956	590	Public Works	165	Public Works	July 12	Apr. 21.
89-88	do	264	H.R. 225	287	Veterans' Affairs	431	Finance	May 17	July 15.
89-89	July 27	264	H.R. 4526	346	Merchant Marine and Fisheries.	422	Commerce	May 17	July 14.
89-90	do	265	H.R. 8775	442 630	Appropriations [Conference]	424	Appropriations	June 8; July 21	July 12, 21.
89-91	do	281	S.J. Res. 71 (H.J. Res. 503).	531	Foreign Affairs	361	Foreign Relations	July 12	June 25.
89-92	do	282	S. 559 (H.R. 3014).	449 586	Interstate and Foreign Commerce. [Conference]	195	Commerce	June 22; July 13	June 16; July 6.
89-93	do	284	H.R. 5242	330	Interstate and Foreign Commerce.	432	Commerce	May 17	July 15.

89-94	do	285	S. 1462	575	Interior and Insular Affairs.	140	Interior and Insular Affairs.	July 12	Mar. 29.
89-95	do	285	H.R. 5041 (S. 1021).	588	Interstate and Foreign Commerce.	429	Commerce	July 12	July 13.
89-96	July 30	285	H.J. Res. 591	689	Appropriations			July 28	July 28.
89-97	do	286	H.R. 6675	213 682	Ways and Means [Conference]	404 pt. 1, pt. 2	Finance	Apr. 7, 8; July 27.	July 6-9, 28.
89-98	do	423	H.R. 8721	583	Interior and Insular Affairs.	465	Interior and Insular Affairs.	July 12	July 21.
89-99	do	424	S. 627	599	Merchant Marine and Fisheries.	168	Commerce	July 12	Apr. 29; July 19.
89-100	do	424	H.R. 8720	582	Interior and Insular Affairs.	466	Interior and Insular Affairs.	July 12	July 21.
89-101	do	425	H.R. 8484	559	Armed Services	460	Armed Services	July 12	July 19.
89-102	do	426	S. 26 (H.R. 6280).	569	Interior and Insular Affairs.	329	Interior and Insular Affairs.	July 12	June 16; July 21.
89-103	Aug. 3	427	S.J. Res. 83			427	Commerce	July 27	July 12.
89-104	do	427	H.R. 8862	518	Foreign Affairs	469	Foreign Relations	June 21	July 22.
89-105	Aug. 4	427	H.R. 2985	248 678	Interstate and Foreign Commerce. [Conference]	366	Labor and Public Welfare.	May 4; July 27	June 28; July 26.
89-106	do	431	H.R. 5508	206	Agriculture	506	Agriculture and Forestry.	Apr. 5	July 23.
89-107	do	432	H.R. 5860	437	Interior and Insular Affairs.	494	Interior and Insular Affairs.	June 7	July 22.
89-108	Aug. 5	433	H.R. 237 (S. 34)	282	Interior and Insular Affairs.	470	Interior and Insular Affairs.	June 16	July 22.
89-109	do	435	S. 510 (H.R. 2986).	249 676	Interstate and Foreign Commerce. [Conference]	117	Labor and Public Welfare.	May 3; July 27	Mar. 11; July 26.
89-110	Aug. 6	437	S. 1564 (H.R. 6400).	439 711	Judiciary [Conference]	162, 162 pt. 2, 162 pt. 3	Judiciary	July 6-9; Aug. 3.	Apr. 13, 22, 23, 26-30; May 3-7, 10-14, 17-21, 24-26; Aug. 4.
89-111	do	446	H.R. 903	384	Interior and Insular Affairs.	499	Interior and Insular Affairs.	June 7	July 23.
89-112	do	446	H.R. 8620	517	Agriculture	502	Agriculture and Forestry.	June 21	July 23.
89-113	do	447	S. 1321	643	District of Columbia	180	District of Columbia	July 26	May 11.
89-114	do	448	H.R. 6622	220	Post Office and Civil Service.	513	Post Office and Civil Service.	Apr. 26	July 28.
89-115	Aug. 9	448	H.R. 2984	247 677	Interstate and Foreign Commerce. [Conference]	367	Labor and Public Welfare.	May 10; July 27.	June 28; July 26.
89-116	do	449	H.R. 1771	294	Post Office and Civil Service.	514	Post Office and Civil Service.	June 7	July 28.

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NOTE: Companion bills are in parentheses

Public Law		79 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage Congressional Record, Vol. 111 (1965)	
No.	Date approved			House		Senate		House	Senate
	1965								
89-117	Aug. 10	451	H.R. 7984 (S. 2213).	365 679	Banking and Currency. [Conference]	378	Banking and Currency.	June 28-30; July 27.	July 14, 15, 26.
89-118	Aug. 11	509	S. 24 (H.R. 7092).	594 720	Interior and Insular Affairs. [Conference]	319	Interior and Insular Affairs.	July 12; Aug. 5	June 16; Aug. 5.
89-119	Aug. 12	510	H.R. 8111	604	Interior and Insular Affairs.	515	Interior and Insular Affairs.	July 12	Aug. 3.
89-120	Aug. 13	510	S. 579	627	Judiciary	213	Judiciary	Aug. 2	May 24.
89-121	do	511	H.R. 7954	380	Interstate and Foreign Commerce.	526	Commerce	June 7	July 30.
89-122	do	517	H.J. Res. 481	520	House Administration	516	Rules and Administration.	July 12	July 30.
89-123	do	517	H.J. Res. 324	250	House Administration	523	Rules and Administration.	May 3	July 30.
89-124	do	518	S.J. Res. 56	684	Judiciary	339	Judiciary	Aug. 2	June 24.
89-125	do	518	H.R. 4714	146	Education and Labor	540	Labor and Public Welfare.	Mar. 15; Apr. 29.	Aug. 6.
89-126	Aug. 14	519	S 1742	644	Banking and Currency.	372	Foreign Relations	Aug. 4	June 30.
89-127	do	519	H.R. 4346	214	Merchant Marine and Fisheries.	428	Commerce	Apr. 26	Aug. 5.
89-128	Aug. 16	520	H.R. 7997	320 727	Appropriations [Conference]	384	Appropriations	May 11; Aug. 5	July 12, 13; Aug. 5.
89-129	Aug. 17	543	H. J. Res. 454 (S.J. Res 79).	585	Interior and Insular Affairs.	508	Interior and Insular Affairs.	July 12	Aug. 3.
89-130	Aug. 19	543	S. 893	521	Interior and Insular Affairs.	159	Interior and Insular Affairs.	July 12; Aug. 5	Apr. 13; Aug. 2.
89-131	Aug. 21	544	H.R. 10139	725	House Administration	571	Rules and Administration.	Aug. 4	Aug. 12.
89-132	do	545	H.R. 9075	549	Armed Services	544	Armed Services	July 20; Aug. 12.	Aug. 11.
89-133	Aug. 23	548	S.J. Res. 100			546	Judiciary	Aug. 11	Aug. 10.
89-134	Aug. 24	549	S. 2054 (H.R. 9026).	530 728	Foreign Affairs [Conference]	267	Foreign Relations	July 29; Aug. 10.	June 2; Aug. 11.
89-135	do	551	H.R. 8856 (S. 2103).	567	Joint Committee on Atomic Energy.	390	Joint Committee on Atomic Energy.	July 12, 29	Aug. 10.
89-136	Aug. 26	552	S. 1648	539	Public Works	193	Public Works	Aug. 11, 12	May 26, 27; June 1; Aug. 16.

89-137	do	576	H.R. 206	452	Veterans' Affairs	566	Labor and Public Welfare.	June 14	Aug. 12.
89-138	do	577	H.R. 208	453	Veterans' Affairs	567	Labor and Public Welfare.	June 14	Aug. 12.
89-139	Aug. 28	578	S.J. Res. 81	681 778	Public Works [Conference]	187	Public Works	Aug. 2, 12	May 14; Aug. 12.
89-140	do	579	H.R. 7595	561	Armed Services	585	Armed Services	July 12	Aug. 13.
89-141	do	580	H.R. 6097	488	Judiciary	498	Judiciary	June 21; Aug. 12	July 23.
89-142	do	581	H.J. Res. 431	369	Judiciary	548	Judiciary	June 7	Aug. 12.
89-143	do	581	H.R. 5034	560	Armed Services	587	Armed Services	July 12	Aug. 13.
89-144	do	582	H.R. 546	558	Armed Services	588	Armed Services	July 12	Aug. 16.
89-145	do	582	S. 1309 (H.R. 4653).	703	Government Operations.	532	Banking and Currency	Aug. 16	Aug. 3.
89-146	do	583	H.R. 2176	191	Interior and Insular Affairs.	322	Interior and Insular Affairs.	Apr. 5	Aug. 11.
89-147	do	583	H.R. 9947	724	House Administration	570	Rules and Administration.	Aug. 4, 16	Aug. 12.
89-148	do	584	H.R. 3320	566	Interior and Insular Affairs.	580	Interior and Insular Affairs.	July 12	Aug. 16.
89-149	do	585	H.R. 3044	171	Armed Services	594	Armed Services	Mar. 29	Aug. 13.
89-150	do	585	H.R. 3037	557	Armed Services	586	Armed Services	July 12	Aug. 13.
89-151	do	586	H.R. 7843	608	Armed Services	584	Armed Services	Aug. 4	Aug. 13.
89-152	Aug. 30	586	H.R. 10306 (S. 2381).	747	Armed Services	589	Armed Services	Aug. 10	Aug. 13.
89-153	Aug. 31	587	H.J. Res. 95	173	Interior and Insular Affairs.	578	Interior and Insular Affairs.	Apr. 5	Aug. 13.
89-154	do	587	H.R. 881	148	Interior and Insular Affairs.	581	Interior and Insular Affairs.	Apr. 5; Aug. 17	Aug. 16.
89-155	do	588	H.R. 7181	265	Interior and Insular Affairs.	579	Interior and Insular Affairs.	May 17	Aug. 13.
89-156	do	589	H.R. 7765	272 791	Appropriations [Conference]	537	Appropriations	May 4; Aug. 16	Aug. 5, 17.
89-157	do	611	H.R. 7596	327	Armed Services	634	Armed Services	May 17; Aug. 26	Aug. 24.
89-158	Sept. 1	612	H.R. 89	360	Interior and Insular Affairs.	598	Interior and Insular Affairs.	July 12; Aug. 17	Aug. 13.
89-159	do	614	H.J. Res. 639	856	Appropriations			Aug. 25	Aug. 30.
89-160	do	615	H.R. 5519	607	Armed Services	583	Armed Services	July 19; Aug. 19	Aug. 13.
89-161	Sept. 2	615	H.R. 485 (S. 599).	295	Interior and Insular Affairs.	312	Interior and Insular Affairs.	June 16	Aug. 20.
89-162	do	618	H.R. 1763	56	Judiciary	615	Judiciary	Apr. 5	Aug. 18.
89-163	do	619	H.R. 3997	281	Judiciary	618	Judiciary	May 17	Aug. 18.
89-164	do	620	H.R. 8639	427 807	Appropriations [Conference]	547	Appropriations	June 1; Aug. 19	Aug. 12, 24.
89-165	do	645	H.R. 3990	57	Judiciary	616	Judiciary	Apr. 5	Aug. 18.
89-166	do	646	H.R. 5497	457	Judiciary	607	Judiciary	June 21	Aug. 18.
89-167	do	647	H.R. 3992	133	Judiciary	617	Judiciary	Mar. 15	Aug. 18.
89-168	do	647	H.R. 9544	767	Armed Services	626	Armed Services	Aug. 16	Aug. 23.

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No.	Date approved			House		Senate		House	Senate
	1965								
89-169	Sept. 6	648	H.J. Res. 632 (S.J. Res. 105).	892	Government Operations.	651	Government Operations.	Aug. 31	Sept. 1.
89-170	do	648	H.R. 5401 (S. 1727).	253	Interstate and Foreign Commerce.	387	Commerce	May 6; Aug. 19	July 9; Aug. 18.
				810	[Conference]				
89-171	do	653	H.R. 7750 (S. 1837).	321	Foreign Affairs	170	Foreign Relations	May 24, 25; Aug. 19.	June 4, 7-11, 14; Aug. 24.
				811	[Conference]				
89-172	Sept. 8	662	H.R. 6007	700	Armed Services	633	Armed Services	Aug. 16, 26	Aug. 23.
89-173	do	663	H.R. 4822	536	District of Columbia	637	District of Columbia	July 15	Aug. 25.
89-174	Sept. 9	667	H.R. 6927 (S. 1599).	337	Government Operations.	536	Government Operations.	June 15, 16; Aug. 31.	Aug. 10, 11, 30.
				884	[Conference]				
89-175	do	672	H.R. 5280	385	Judiciary	549	Judiciary	June 7; Aug. 25	Aug. 12, 26.
89-176	Sept. 10	674	H.R. 6964	694	Judiciary	613	Judiciary	Aug. 2, 25	Aug. 18.
89-177	do	675	H.R. 496	615	Public Works	642	Public Works	Aug. 2	Aug. 26.
89-178	do	676	H.R. 2263	381	Education and Labor	543	Labor and Public Welfare.	June 21; Aug. 26.	Aug. 11.
89-179	Sept. 11	677	H.R. 1044	563	Armed Services	582	Armed Services	July 12	Aug. 30.
89-180	do	678	H.R. 4905	691	Armed Services	542	Armed Services	Aug. 2	Aug. 26, 30.
89-181	do	679	S. 511	705	Foreign Affairs	365	Labor and Public Welfare.	Aug. 16	June 25; Sept. 1.
89-182	Sept. 14	679	S. 949 (H.R. 3420).	817	Interstate and Foreign Commerce.	421	Commerce	Sept. 1	July 19; Sept. 7.
89-183	do	685	H.R. 4465	235	Judiciary	612	Judiciary	Apr. 26; Aug. 25	Aug. 18.
89-184	Sept. 15	788	H.R. 9570	708	Ways and Means	666	Judiciary	Aug. 17	Sept. 2.
89-185	do	789	H.R. 5024	382	Judiciary	655	Judiciary	Aug. 2	Sept. 2.
89-186	do	791	S. 2420 (H.R. 10386).	806	Judiciary	611	Judiciary	Sept. 7	Aug. 18.
89-187	do	791	S.J. Res. 53	683	Judiciary	313	Judiciary	Aug. 16	June 14; Sept. 2.
89-188	Sept. 16	793	H.R. 10775	956	Armed Services			Sept. 7	Sept. 9.
89-189	Sept. 17	820	H.R. 727	578	Merchant Marine and Fisheries.	689	Commerce	July 12	Sept. 9.
89-190	do	821	S. 795 (H.R. 3715).	890	Interior and Insular Affairs.	153	Interior and Insular Affairs.	Sept. 7	Apr. 9.
89-191	do	822	H.R. 725	577	Merchant Marine and Fisheries.	688	Commerce	July 12	Sept. 9.
89-192	Sept. 21	822	S.J. Res. 89	882	House Administration	517	Rules and Administration.	Sept. 7	July 30.

89-193	do	823	H.R. 3039	688	Armed Services	685	Armed Services	Aug. 2	Sept. 7.
89-194	do	823	H.R. 5989	338	Merchant Marine and Fisheries.	676	Commerce	May 17	Sept. 8.
89-195	do	824	S. 20 (H.R. 2071).	893	Interior and Insular Affairs.	331	Interior and Insular Affairs.	Sept. 7	June 17; Sept. 15.
89-196	do	827	S.J. Res. 102	902	Judiciary	602	Judiciary	Sept. 7	Aug. 18.
89-197	Sept. 22	828	H.R. 8027	695	Judiciary	672	Judiciary	Aug. 2	Sept. 8.
89-198	do	830	H.R. 8333	774	Armed Services	678	Armed Services	Aug. 30	Sept. 7.
89-199	Sept. 23	831	H.R. 10586	818 970	Appropriations [Conference]	680	Appropriations	Aug. 24; Sept. 9.	Sept. 7, 9.
89-200	Sept. 25	834	H.R. 7779	581	Merchant Marine and Fisheries.	690	Commerce	July 12	Sept. 9.
89-201	do	834	H.R. 8761	584	Merchant Marine and Fisheries.	699	Commerce	July 12	Sept. 10.
89-202	do	835	H.R. 10323	738 1018	Appropriations [Conference]	620	Appropriations	Aug. 10; Sept. 17.	Aug. 20; Sept. 21.
89-203	do	838	S.J. Res. 5 (H.J. Res. 230).	551	District of Columbia	183	District of Columbia	June 28; Aug. 26.	May 11; Sept. 14.
89-204	Sept. 27	839	H.R. 6431	595	Ways and Means	681	Finance	Aug. 16	Sept. 7.
89-205	do	840	H.R. 8469	529	Post Office and Civil Service.	653	Post Office and Civil Service.	Aug. 3; Sept. 9	Sept. 8.
89-206	Sept. 28	841	S. 1903	707	Foreign Affairs	360	Foreign Relations	Sept. 9, 14	June 25; Sept. 15.
89-207	do	843	S. 7 (H.R. 10330).	909	Agriculture	507	Agriculture and Forestry.	Sept. 7	July 23; Sept. 14.
89-208	do	844	S. 1317	642	District of Columbia	181	District of Columbia	July 26	May 11; Sept. 14.
89-209	Sept. 29	845	S. 1483 (H.R. 9460).	618	Education and Labor	300	Labor and Public Welfare.	Sept. 15	June 10; Sept. 16.
89-210	do	855	S. 2042 (HR. 8496).	883	Joint Committee on Atomic Energy.	650	Joint Committee on Atomic Energy.	Sept. 16	Aug. 31.
89-211	do	857	H.R. 10014	726	House Administration	706	Rules and Administration.	Aug. 4; Sept. 14	Sept. 10.
89-212	do	858	H.R. 10874	976	Interstate and Foreign Commerce.			Sept. 14	Sept. 15.
89-213	do	863	H.R. 9221	528 1006	Appropriations [Conference]	625	Appropriations	June 23; Sept. 17.	Aug. 24, 25; Sept. 21.
89-214	do	880	S. 2127 (H.R. 10873).	1003	Veterans' Affairs	619	Finance	Sept. 20, 23	Aug. 18, 19; Sept. 22.
89-215	do	887	H.R. 3989	132	Judiciary	712	Judiciary	Mar. 15	Sept. 17.
89-216	do	888	H.R. 5883	182	Education and Labor	698	Labor and Public Welfare.	May 27	Sept. 14.
89-217	do	889	H.R. 948	24	District of Columbia	638	District of Columbia	Feb. 8; Sept. 2	Aug. 25; Sept. 14.
89-218	do	890	H.R. 6294	256	Judiciary	740	Judiciary	May 3	Sept. 17.
89-219	do	891	S. 906 (H.R. 3351).	995	Merchant Marine and Fisheries.	674	Commerce	Sept. 20	Sept. 7.

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No.	Date approved			House		Senate		House	Senate
89-220	1965 Sept. 30	893	S. 1588 (H.R. 5863).	845 1017	Interstate and Foreign Commerce. [Conference]	497	Commerce	Sept. 2, 17	July 23; Sept. 20.
89-221	do	895	H.J. Res. 673	1095	Appropriations	796	Appropriations	Sept. 28	Sept. 29.
89-222	do	896	H.R. 205	451	Veterans' Affairs	569	Laborand Public Welfare.	June 14; Sept. 7	Aug. 12; Sept. 28.
89-223	Oct. 1	896	S. 1190	984	Interior and Insular Affairs.	496	Interior and Insular Affairs.	Sept. 20	July 22.
89-224	do	897	S. 664	889	Interior and Insular Affairs.	160	Interior and Insular Affairs.	Sept. 20	Apr. 13.
89-225	do	898	H.R. 5252	383	Judiciary	738	Judiciary	June 7	Sept. 17.
89-226	do	899	S. 1764	849	Agriculture	467	Interior and Insular Affairs.	Sept. 20	July 21.
89-227	do	899	S. 1988 (H.R. 9334).	1013	Interior and Insular Affairs.	468	Interior and Insular Affairs.	Sept. 20	July 21.
89-228	do	900	H.R. 2414	288	Veterans' Affairs	754	Labor and Public Welfare.	May 17	Sept. 21.
89-229	do	901	H.R. 5768	447 978	Ways and Means [Conference]	433	Finance	June 9; Sept. 16.	July 15; Sept. 20.
89-230	do	901	H.R. 8715	548 1016	Foreign Affairs [Conference]	643	Foreign Relations	Aug. 16; Sept. 17.	Aug. 26; Sept. 21.
89-231	do	901	H.R. 9877	814	Judiciary	727	Judiciary	Sept. 7, 21	Sept. 17.
89-232	do	902	S. 1623	1002	Merchant Marine and Fisheries.	169	Commerce	Sept. 20	Apr. 29.
89-233	do	902	S. 1975 (H.R. 9734).	996	Merchant Marine and Fisheries.	383	Commerce	Sept. 20	July 7.
89-234	Oct. 2	903	S. 4	215 1022	Public Works [Conference]	10	Public Works	Apr. 28; Sept. 21.	Jan. 28; Sept. 21.
89-235	do	910	S.J. Res. 98			752	Judiciary	Sept. 21	Sept. 20.
89-236	Oct. 3	911	H.R. 2580	745 1101	Judiciary [Conference]	748	Judiciary	Aug. 24, 25; Sept. 30.	Sept. 16, 17, 20-22, 30.
89-237	Oct. 4	922	H.R. 4152	114	Agriculture	630	Agriculture and Forestry.	Mar. 15; Sept. 17.	Aug. 23.
89-238	Oct. 5	925	H.R. 5842	362	Interior and Insular Affairs.	757	Interior and Insular Affairs.	June 7	Sept. 22.
89-239	Oct. 6	926	S. 596 (H.R. 3140).	963	Interstate and Foreign Commerce.	368	Labor and Public Welfare.	Sept. 23, 24	June 25, 28; Sept. 29.

89-240	Oct. 7	931	S. 1766 (H.R. 10232).	847	Agriculture	500	Agriculture and Forestry.	Sept. 23, 28	July 23; Sept. 24, 28.
89-241	do	933	H.R. 7969	342 979	Ways and Means [Conference]	530	Finance	May 17; Sept. 16.	Aug. 12, 13; Sept. 20.
89-242	do	951	S. 1620	1094	Judiciary	304	Judiciary	Sept. 24	June 11; Sept. 28.
89-243	Oct. 9	954	H.R. 4750	602 988	Ways and Means [Conference]	621	Finance	Aug. 5; Sept. 16.	Aug. 24; Sept. 20.
89-244	do	967	H.R. 8035	980	Interior and Insular Affairs.	763	Interior and Insular Affairs.	Sept. 20	Sept. 23.
89-245	do	967	H.R. 10516	968	Armed Services	778	Armed Services	Sept. 20	Sept. 24.
89-246	do	968	H.R. 10714	969	Armed Services	777	Armed Services	Sept. 20	Sept. 24.
89-247	do	968	H.R. 10715	967	Armed Services	776	Armed Services	Sept. 20	Sept. 24.
89-248	do	968	H.J. Res. 309	1009	House Administration	768	Rules and Administration.	Sept. 15	Sept. 23.
89-249	do	969	H.R. 2091	591	Interior and Insular Affairs.	765	Interior and Insular Affairs.	Sept. 14	Sept. 23.
89-250	do	971	H.R. 9417	981	Interior and Insular Affairs.	766	Interior and Insular Affairs.	Sept. 20	Sept. 23.
89-251	do	972	H.R. 10748	966	Armed Services	775	Armed Services	Sept. 20	Sept. 24.
89-252	do	972	H.J. Res. 330	243	Armed Services	774	Armed Services	Apr. 26	Sept. 24.
89-253	do	973	H.R. 8283	428 1001, 1061	Education and Labor [Conference]	599	Labor and Public Welfare.	July 20-22; Sept. 15, 23.	Aug. 16-19; Sept. 24.
89-254	Oct. 10	980	H.R. 728 (S. 2069).	597 1085	Merchant Marine and Fisheries [Conference]	373	Commerce	July 12; Sept. 24.	Aug. 26; Sept. 28.
89-255	do	981	S. 1065 (H.R. 9515).	986	Interior and Insular Affairs.	327	Interior and Insular Affairs.	Sept. 20	June 16; Sept. 28.
89-256	Oct. 15	982	H.J. Res. 695	1157	Appropriations			Oct. 13	Oct. 13.
89-257	Oct. 19	982	H.R. 3045	239	Armed Services	800	Armed Services	Apr. 26	Oct. 1.
89-258	do	983	S. 2232	1034	Education and Labor	649	Labor and Public Welfare.	Oct. 5	Aug. 31.
89-259	do	985	S. 2273	1070	Judiciary	747	Judiciary	Oct. 5	Sept. 17.
89-260	do	986	S.J. Res. 69 (H.J. Res. 642).	1024	Public Works	641	Public Works	Oct. 1	Aug. 30; Oct. 5.
89-261	do	987	H.R. 6165	772	Post Office and Civil Service.	795	Post Office and Civil Service.	Aug. 16	Oct. 1.
89-262	do	988	H.R. 9336 (S. 1826).	706	Foreign Affairs	701	Foreign Relations	Aug. 16; Sept. 30.	Sept. 21, 22.
89-263	do	988	H.R. 7329	1092	Armed Services	802	Armed Services	Sept. 29	Oct. 1.
89-264	do	989	H.R. 10234	805	Armed Services	805	Armed Services	Sept. 7	Oct. 1.
89-265	do	989	H.R. 5665	735	Government Operations.	801	Armed Services	Sept. 20	Oct. 1.
89-266	do	990	S. 1856	609	Armed Services	171	Armed Services	July 19	Apr. 30; Oct. 4.
89-267	do	990	H.R. 724	275	Merchant Marine and Fisheries.	799	Armed Services	May 10	Oct. 1.
89-268	do	990	S. 903	1014	Interstate and Foreign Commerce.	524	Commerce	Oct. 5	July 30.

GUIDE TO LEGISLATIVE HISTORY OF BILLS ENACTED INTO PUBLIC LAW—Continued

NOTE: Companion bills are in parentheses

Public Law		79 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage Congressional Record, Vol. 111 (1965)	
No.	Date approved			House		Senate		House	Senate
	1965								
89-269	Oct. 19	991	S. 1576 (H.R. 6519).	881	House Administration	320	Interior and Insular Affairs.	Oct. 1	June 17.
89-270	do	991	S. 1689	848	Agriculture	243	Agriculture and Forestry.	Sept. 7	May 26; Oct. 5.
89-271	do	992	H.R. 9975	775	Armed Services	804	Armed Services	Aug. 16	Oct. 1.
89-272	Oct. 20	992	S. 306	899	Interstate and Foreign Commerce.	192	Public Works	Sept. 23, 24	May 18; Oct. 1.
89-273	do	1002	H.R. 10871	955 1103	Appropriations [Conference]	708	Appropriations	Sept. 8; Oct. 1	Sept. 22, 23; Oct. 5.
89-274	do	1009	S.J. Res. 106	1093	Foreign Affairs	647	Foreign Relations	Oct. 5, 7	Aug. 26.
89-275	do	1010	H.R. 1805	690	Armed Services	808	Armed Services	Aug. 16; Oct. 7	Oct. 1.
89-276	do	1010	S. 1516	993	Government Operations.	273	Government Operations.	Oct. 5	June 7; Oct. 11.
89-277	do	1011	S. 1715	1130	District of Columbia	640	District of Columbia	Oct. 11	Aug. 25.
89-278	do	1011	H.R. 5571	172	Armed Services	809	Armed Services	Mar. 29; Oct. 7	Oct. 5.
89-279	do	1011	H.R. 6852	964	Armed Services	779	Armed Services	Sept. 20; Oct. 8	Sept. 24.
89-280	do	1012	H.R. 7059	280	Merchant Marine and Fisheries.	771	Rules and Administration.	May 10; Oct. 5	Sept. 23.
89-281	Oct. 21	1012	H.R. 7707	370	Judiciary	816	Judiciary	June 21	Oct. 13.
89-282	do	1013	S. 1719	1131	District of Columbia	793	District of Columbia	Oct. 11	Sept. 30.
89-283	do	1016	H.R. 9042	537 1115	Ways and Means [Conference]	782	Finance	Aug. 31; Oct. 8	Sept. 28-30; Oct. 5.
89-284	Oct. 22	1026	H.R. 9247 (S. 2167).	975	Foreign Affairs	767	Foreign Relations	Sept. 22; Oct. 6	Sept. 28.
89-285	do	1028	S. 2084	1084	Public Works	709	Public Works	Oct. 7	Sept. 15, 16; Oct. 13.
89-286	do	1034	H.R. 10238	948	Education and Labor	798	Labor and Public Welfare.	Sept. 20; Oct. 6	Oct. 1.
89-287	do	1037	H.R. 7743	308	Education and Labor	758	Labor and Public Welfare.	June 21; Oct. 8	Sept. 28.
89-288	do	1050	H.R. 7484	347	Armed Services	807	Armed Services	May 17; Oct. 7	Oct. 1.
89-289	do	1051	H.R. 7169 (S. 1707).	1015	Interstate and Foreign Commerce.	812	Banking and Currency	Oct. 5	Oct. 6.
89-290	do	1052	H.R. 3141	781	Interstate and Foreign Commerce.	789	Labor and Public Welfare.	Sept. 1; Oct. 11	Sept. 30.
89-291	do	1059	S. 597 (H.R. 3142).	1026	Interstate and Foreign Commerce.	756	Labor and Public Welfare.	Oct. 1	Sept. 22; Oct. 12.

89-292	do	1068	S. 32 (H.R. 2020).	1011	Interior and Insular Affairs.	332	Interior and Insular Affairs.	Oct. 6, 7	June 17; Oct. 7.
89-293	do	1069	H.R. 7919 (S. 1855).	985	Interior and Insular Affairs.	764	Interior and Insular Affairs.	Oct. 5	Sept. 23; Oct. 9.
89-294	Oct. 23	1070	H.J. Res. 571	1147	Judiciary			Oct. 18	Oct. 19.
89-295	do	1070	H.R. 7888	897	Judiciary	815	Judiciary	Sept. 7	Oct. 13.
89-296	Oct. 27	1071	S.J. Res. 32	972	Foreign Affairs	564	Foreign Relations	Oct. 6, 7	Aug. 11; Oct. 13.
89-297	do	1072	H.R. 2853	895	Judiciary	814	Judiciary	Sept. 7	Oct. 13.
89-298	do	1073	S. 2300	973	Public Works	464	Public Works	Sept. 21, 22; Oct. 20.	July 27; Oct. 19.
				1170	[Conference]				
89-299	Oct. 28	1096	H.R. 9220	527	Appropriations	632	Appropriations	June 22; Oct. 14.	Aug. 23; Oct. 15.
				1163	[Conference]				
89-300	do	1110	H.R. 5167	258	Judiciary	840	Judiciary	May 3	Oct. 13.
89-301	Oct. 29	1111	H.R. 10281	792	Post Office and Civil Service.	910	Post Office and Civil Service.	Sept. 13, 30; Oct. 22.	Oct. 22.
89-302	Oct. 30	1124	S. 1735	1160	Merchant Marine and Fisheries.	463	Commerce	Oct. 18	July 21.
89-303	do	1124	H.R. 10198	1088	Merchant Marine and Fisheries.	873	Commerce	Oct. 5	Oct. 18.
89-304	do	1125	H.R. 23	1007	Merchant Marine and Fisheries.	860	Commerce	Sept. 20; Oct. 14.	Oct. 13.
89-305	do	1126	H.R. 9495	1043	House Administration	867	Rules and Administration.	Oct. 5	Oct. 18.
89-306	do	1127	H.R. 4845	802	Government Operations.	938	Government Operations.	Sept. 2	Oct. 22.
89-307	do	1129	S. 516	1145	Judiciary	206	Judiciary	Oct. 18	May 24; Oct. 19.
89-308	Oct. 31	1129	H.R. 4170	500	Foreign Affairs	631	Foreign Relations	Aug. 2; Oct. 20	Aug. 30.
89-309	do	1133	H.R. 11588	1162	Appropriations	912	Appropriations	Oct. 14, 21	Oct. 20, 21.
				1198	[Conference]				
89-310	do	1153	H.R. 11096	1045	Armed Services	862	Armed Services	Oct. 5	Oct. 15.
89-311	do	1154	H.R. 168	782	Veterans' Affairs	861	Finance	Sept. 7; Oct. 19, 21.	Oct. 15, 21.
				1201	[Conference]				
89-312	Nov. 1	1157	H.R. 10369	896	Judiciary	866	Judiciary	Sept. 7; Oct. 18	Oct. 15.
89-313	do	1158	H.R. 9022	587	Education and Labor	783	Labor and Public Welfare.	Aug. 30; Oct. 13.	Oct. 1, 15.
89-314	do	1162	H.R. 11303 (S. 2572).	1102	Post Office and Civil Service.	790	Post Office and Civil Service.	Oct. 5	Oct. 15.
89-315	do	1163	H.R. 11420	1117	Post Office and Civil Service.	874	Post Office and Civil Service.	Oct. 8	Oct. 18.
89-316	Nov. 2	1165	H.R. 8370	364	Appropriations	423	Appropriations	May 26; Oct. 20.	July 13; Oct. 21.
				1186	[Conference]				
89-317	do	1180	H.J. Res. 397	647	District of Columbia	871	District of Columbia	July 26	Oct. 18.
89-318	do	1185	H.R. 9545	813	Judiciary	851	Judiciary	Sept. 7	Oct. 18.
89-319	do	1186	H.R. 1781	1071	Judiciary	891	Judiciary	Oct. 5	Oct. 19.
89-320	Nov. 3	1186	H.J. Res. 597	961	Science and Astronautics.	868	Rules and Administration.	Sept. 20	Oct. 15.

GUIDE TO LEGISLATIVE HISTORY OF BILLS ENACTED INTO PUBLIC LAW—Continued

NOTE: Companion bills are in parentheses

Public Law		79 Stat.	Bill No.	Report No. and Committee reporting				Dates of consideration and passage Congressional Record, Vol. 111 (1965)	
No.	Date approved			House		Senate		House	Senate
	1965								
89-321	Nov. 3	1187	H.R. 9811	631 1123	Agriculture [Conference]	687	Agriculture and Forestry.	Aug. 17-19; Oct. 8.	Sept. 8-10, 13, 14; Oct. 12.
89-322	Nov. 4	1213	H.R. 9047	965 1202	Armed Services [Conference]	803	Armed Services	Sept. 20; Oct. 22.	Oct. 1, 21.
89-323	Nov. 5	1213	H.R. 10305	768 1203	Armed Services [Conference]	780	Armed Services	Aug. 16; Oct. 22.	Sept. 24; Oct. 21.
89-324	do	1214	H.R. 7812	623 1208	Armed Services [Conference]	781	Armed Services	Aug. 30; Oct. 22.	Sept. 24; Oct. 22.
89-325	Nov. 7	1215	H.J. Res. 641	1174	House Administration	930	Rules and Administration.	Oct. 19	Oct. 21.
89-326	do	1216	H.R. 1778	734	District of Columbia	784	District of Columbia	Aug. 9; Oct. 21	Sept. 30.
89-327	do	1217	H.J. Res. 671			919	Judiciary	Oct. 13	Oct. 21.
89-328	do	1218	H.R. 5026	1156	Public Works	915	Public Works	Oct. 18, 22	Oct. 21.
89-329	Nov. 8	1219	H.R. 9567	621 1178	Education and Labor [Conference]	673	Labor and Public Welfare.	Aug. 26; Oct. 20.	Sept. 1, 2; Oct. 20.
89-330	do	1270	S. 2092 (H.R. 10206).	846	Agriculture	648	Agriculture and Forestry.	Sept. 7; Oct. 14, 20.	Aug. 30; Oct. 18.
89-331	do	1271	H.R. 11135	1046 1209	Agriculture [Conference]	909	Finance	Oct. 13, 22	Oct. 19, 20, 22.
89-332	do	1281	S. 1758	1141	Judiciary	755	Judiciary	Oct. 18	Sept. 21; Oct. 20.
89-333	do	1282	H.R. 8310	432 1204	Education and Labor Labor. [Conference]	806	Labor and Public Welfare.	July 29; Oct. 22	Oct. 1, 21.
89-334	do	1294	S. 2542	1188	Banking and Currency	794	Banking and Currency	Oct. 21	Oct. 1.
89-335	do	1294	H.R. 5493	1146	Judiciary	918	Judiciary	Oct. 18	Oct. 21.
89-336	do	1295	H.R. 797	535	Interior and Insular Affairs.	922	Interior and Insular Affairs.	July 12	Oct. 21.
89-337	do	1300	S. 2679 (H.R. 9149).	1177	Agriculture	921	Agriculture and Forestry.	Oct. 22	Oct. 21.
89-338	do	1300	H.R. 7475	617	Public Works	916	Public Works	Aug. 2	Oct. 21.
89-339	do	1301	H.R. 11539	1164	Public Works	917	Public Works	Oct. 18	Oct. 21.
89-340	do	1302	H.J. Res. 788					Oct. 22	Oct. 22.
89-341	do	1302	H.R. 5597	740	District of Columbia	786	District of Columbia	Aug. 9; Oct. 21	Sept. 30.
89-342	do	1302	H.R. 11267	1122	House Administration	913	Rules and Administration.	Oct. 18	Oct. 21.

89-343	do	1303	S. 1004	1166	Government Operations.	274	Government Operations.	Oct. 18	June 27; Oct. 1.
89-344	do	1304	H.R. 9830	994	Government Operations.	811	Government Operations.	Sept. 20	Oct. 22.
89-345	do	1304	H.R. 4421	289	Veterans' Affairs	929	Labor and Public Welfare.	May 17	Oct. 22.
89-346	do	1305	S. 2118	1116 1185	Merchant Marine and Fisheries. [Conference]	686	Commerce	Oct. 5, 21	Sept. 8; Oct. 21.
89-347	do	1307	S. 1320	1129	District of Columbia	623	District of Columbia	Oct. 11	Aug. 20; Oct. 22.
89-348	do	1310	S. 2150	1169	Government Operations.	545	Government Operations.	Oct. 18	Aug. 12; Oct. 21.
89-349	do	1313	H.R. 227	454	Veterans' Affairs	568	Labor and Public Welfare.	June 14; Oct. 19.	Aug. 20; Oct. 20.

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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 70–74 covering the years 1956 through 1960 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 79

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	79 Stat.	Public law	Section	Comment
1878							
June 20	20:206	359	1	630	89–164	----------	Exception.
1883							
Jan. 16	22:403	27	----------	243	89–77	2	Do.
1887							
Feb. 4	24:379	104	5(10)	284	89–93	----------	Partial revision.
4	24:379	104	20a(2)	263	89–86	1	Amendment.
4	24:379	104	202(b)(1), (2)	648	89–170	2	Existing text designated as (1); par. (2) added.
4	24:379	104	204a(2)	651	89–170	6(a)	Revision.
4	24:379	104	204a(5)–(8)	651	89–170	6(b)	Pars. (5)–(7) redesignated as (6)–(8); new (5) added.
4	24:379	104	205(f)	648	89–170	1	Amendment.
4	24:379	104	214	263	89–86	2	Amendment; nonapplicability.
4	24:379	104	222(b)(1)–(3)	649	89–170	4	Revision.
4	24:379	104	222(h)	649	89–170	3	Amendment.
4	24:379	104	312a	652	89–170	8	Addition.
4	24:379	104	406a(2)	651	89–170	7(a)	Revision.
4	24:379	104	406a(5)–(8)	652	89–170	7(b)	Pars. (5)–(7) redesignated as (6)–(8); new (5) added.
4	24:379	104	417(b)(1)–(3)	650	89–170	5	Existing text designated as (1); pars. (2), (3) added.
1890							
July 2	26:209	647	----------	1026	89–283	503	Applicability.
1892							
July 14	27:150	171	----------	780	89–183	8	Repeal, with exception.
29	27:322	320	1	1307	89–347	2	Amendment.
1894							
Aug. 27	28:509	349	73–77	1026	89–283	503	Applicability.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Chapter	Section	79 Stat.	Public law	Section	Comment
1895							
Jan. 12	28:601	23	87	630	89–164	----------	Exception.
12	28:601	23	87	850	89–209	7(c)(6)	Do.
1897							
June 4	30:11	2	1	132, 133	89–41	3(d), 7	Time waiver.
1898							
July 1	30:544	541	14b, c	646	89–166	----------	Revision.
1	30:544	541	62a(2)	1121	89–301	12(a)	Supplemental provision.
1900							
Mar. 14	31:45	41	9	256	89–81	203(b)	Repeal.
1901							
Mar. 3	31:1189	854	----------	685	89–183	1	"Decedents' Estates and Fiduciary Relations," enactment as Part III, D.C. Code. (See table 5(b).)
3	31:1189	854	----------	779	89–183	3	Applicability.
3	31:1189	854	91–94	780	89–183	8	Repeal, with exception.
3	31:1189	854	96	780	89–183	8	Do.
3	31:1189	854	115a, f	780	89–183	8	Do.
3	31:1189	854	122	780	89–183	8	Do.
3	31:1189	854	123a	780	89–183	8	Do.
3	31:1189	854	124, 125	780	89–183	8	Do.
3	31:1189	854	128	780	89–183	8	Do.
3	31:1189	854	130–137	780	89–183	8	Do.
3	31:1189	854	137a	780	89–183	8	Do.
3	31:1189	854	138–141	780	89–183	8	Do.
3	31:1189	854	146–153	780	89–183	8	Do.
3	31:1189	854	153A	780	89–183	8	Do.
3	31:1189	854	154–166	780	89–183	8	Do.
3	31:1189	854	260–308	780	89–183	8	Do.
3	31:1189	854	308a	781	89–183	8	Do.
3	31:1189	854	309–339	781	89–183	8	Do.
3	31:1189	854	341–366	782	89–183	8	Do.
3	31:1189	854	369–386	782	89–183	8	Do.
3	31:1189	854	386a	782	89–183	8	Do.
3	31:1189	854	387–394	782	89–183	8	Do.
3	31:1189	854	394(a)–(j)	783	89–183	8	Do.
3	31:1189	854	812	1308	89–347	3	Amendment.
3	31:1189	854	830	783	89–183	8	Repeal, with exception.
3	31:1189	854	848	1307	89–347	1	Revision.
3	31:1189	854	940	783	89–183	8	Repeal, with exception.
3	31:1189	854	952	783	89–183	8	Do.
3	31:1189	854	957	783	89–183	8	Do.
3	31:1189	854	959–961	783	89–183	8	Do.
3	31:1189	854	1123–1142	783	89–183	8	Do.
3	31:1189	854	1158	783	89–183	8	Do.
3	31:1189	854	1165	783	89–183	8	Do.
3	31:1189	854	1172–1174	783	89–183	8	Do.
3	31:1189	854	1623	783	89–183	8	Do.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Chapter	Section	79 Stat.	Public law	Section	Comment
1901							
Mar. 3	31:1189	854	1625–1628	783	89–183	8	Repeal, with exception.
3	31:1189	854	1628a	783	89–183	8	Do.
3	31:1189	854	1629–1635	783	89–183	8	Do.
3	31:1189	854	1635a	783	89–183	8	Do.
1902		Public law					
June 30	32:520	206	----------	784	89–183	8	Partial repeal, with exception.
1905							
Feb. 23	33:740	92	1, 2	784	89–183	8	Repeal, with exception.
Mar. 3	33:1006	174	----------	784	89–183	8	Do.
1906							
Apr. 26	34:137	129	----------	432	89–107	----------	Supplemental provision.
May 1	34:157	138	----------	1216	89–326	----------	(Revised. See 1954, P.L. 681.)
1907							
Feb. 9	34:887	80	----------	1308	89–347	6	(Revised. See 1929, P.L. 966.)
1911							
Mar. 1	36:961	435	----------	186	89–52	----------	Restriction.
1912							
Aug. 24	37:417	302	----------	178	89–52	----------	Exception.
1913							
Jan. 30	37:654	355	2, 9	901	89–231	----------	Amendment.
Mar. 4	37:828	430	----------	187	89–52	----------	Supplemental provision.
4	37:828	430	----------	991	89–270	----------	Amendment.
Dec. 23	38:251	43	16	5	89–3	1, 2	Do.
23	38:251	43	19	244	89–79	1	Do.
23	38:251	43	24	465	89–117	201(b)(2)	Amendment; exception.
23	38:251	43	24	509	89–117	1111	Amendment.
1914							
Feb. 7	38:280	52	9	1308	89–347	4	Revision.
May 8	38:372	95	----------	1224	89–329	110	(Revised. See 1953, P.L. 83, sec. 1.)
Sept. 26	38:717	203	----------	672	89–175	2(b), (c)	Exemption.
Oct. 15	38:730	212	----------	1026	89–283	503	Applicability.
1916							
July 17	39:360	158	202(a)(1)	922	89–237	1(a)	Amendment.
17	39:360	158	203(a)	922	89–237	1(b)	Do.
17	39:360	158	205(a)(1), (2)	922	89–237	1(c)	Do.
17	39:360	158	206(a)	923	89–237	1(d)(ii)	Do.
17	39:360	158	206(a)(3)	923	89–237	1(d)	Do.
17	39:360	158	206(c)	923	89–237	1(d)(iii)	Do.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public Law	Section	79 Stat.	Public law	Section	Comment
1916							
Aug. 25	39:535	235	----------	426	89–102	2	Applicability.
25	39:535	235	----------	969	89–249	----------	Supplemental provision.
Sept. 7	39:728	260	9	1305	89–346	1, 4	Amendment.
7	39:728	260	18(b)(1)	1124	89–303	----------	Do.
7	39:728	260	37(e)–(f)	1306	89–346	2, 4	Subsecs. (e)–(e) relettered as (d)–(f); new (c) added.
7	39:742	267	----------	52, 53	89–10	507 (c)(4), (g)(2)	Applicability.
7	39:742	267	----------	592	89–156	----------	Do.
7	39:742	267	----------	1257	89–329	515(b)	Do.
7	39:742	267	32	592	89–156	----------	Supplemental provision.
7	39:742	267	33(a)	1311	89–348	1(16)	Repeal.
7	39:742	267	42	592	89–156	----------	Supplemental provision.
1917							
Feb. 23	39:929	347	----------	1224	89–329	110	Exception.
Sept. 24	40:288	43	----------	300, 308	89–97	102(a)	Supplemental provision.
24	40:288	43	----------	499, 500	89–117	1003(a)	Do.
24	40:288	43	----------	1047	89–287	13(b)	Do.
24	40:288	43	----------	1246	89–329	431(b)	Do.
24	40:288	43	21	172	89–49	----------	Debt limit, increase.
1918							
June 20	40:607	174	6	834	89–201	----------	Annuity increase.
1919							
Mar. 1	40:1213	314	11	850	89–209	7(c)(6)	Exception. (See also 1895, ch. 23, sec. 87.)
1920							
Feb. 25	41:437	146	----------	1299	89–336	6	Applicability.
Apr. 19	41:555	181	1	784	89–183	8	Partial repeal, with exception.
June 5	41:988	261	27	823	89–194	----------	Amendment; nonapplicability.
5	41:988	261	30, Subsec. O(e), (f)	1306, 1307	89–346	3, 4	Par. (e) relettered as (f); new (e) added.
1921							
May 27	42:9	10	201–213	1026	89–283	503	Applicability.
June 10	42:20	13	201	3	89–1	1(a)	Exception.
1923							
Feb. 17	42:1261	427	9	1309	89–347	8, 11	Amendment.
1924							
May 28	43:177	151	2	1308, 1309	89–347	7, 11	Do.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1925							
Mar. 3	43:1135	578	6–27	784	89–183	8	Repeal, with exception.
1926							
May 7	44:403	186	4(e)	112	89–22	----------	Addition.
1927							
Feb. 10	44:1067	598	----------	785	89–183	8	Repeal, with exception.
Mar. 3	44:1383	753	----------	785	89–183	8	Do.
4	44:1424	803	43	1311	89–348	1(15)	Repeal.
1928							
May 7	45:491	350	1	679	89–181	----------	Amendment.
14	45:509	380	1, 2, 4–14	785	89–183	8	Repeal, with exception.
15	45:534	391	----------	134	89–42	1(a)	Supplemental provision.
15	45:534	391	----------	1076	89–298	204	Project modification.
Dec. 21	45:1057	642	----------	1069	89–292	5	Applicability.
21	45:1067	Pub. Res. 74	6	1310	89–348	1(4)	Repeal.
1929							
Jan. 21	45:1091	679	4, 5	896	89–223	----------	Exception.
Feb. 27	45:1326	831	46	1308, 1309	89–347	5, 11	Amendment.
Mar. 2	45:1519	966	"Sec. 8"	1308, 1309	89–347	6, 11	Do.
1930							
May 27	46:391	271	7	177	89–52	----------	Exception.
29	46:468	279	8	840, 841	89–205	1(c)	Annuity increase; supplemental provision.
29	46:482	284	----------	981	89–255	----------	Land exchange.
			Tariff Schedules				
June 17	46:590	361 (title I)	----------	933	89–241	1(c)	Citation of title.
17	46:590	361	----------	1513	Proc. No. 3682	----------	Effective date of modifications made by P.L. 89–283, 1965.
17	46:590	361	Gen. Hdnt. 3(d)–(g)	1022	89–283	403	Pars. (d)–(f) redesignated as (e)–(g); new (d) added.
17	46:590	361	Gen. Hdnt. 6(b)(i)	934	89–241	4	Amendment.
17	46:590	361	Item 165.40	934	89–241	5	Do.
17	46:590	361	Sched. 1, Pt. 15, B, Hdnt. 3	934	89–241	6(a)	Do.
17	46:590	361	Item 182.70	934	89–241	7	Addition.
17	46:590	361	Sched. 1, Pt. 15, C, Hdnt. 1(a)	934	89–241	6(b)	Amendment.
17	46:590	361	Item 192.05	934	89–241	8	Do.
17	46:590	361	Item 192.20	934	89–241	9	Revision.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public Law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Item 204.27	935	89–241	10(a)	Addition.
17	46:590	361	Item 204.50	935	89–241	11(a)	Amendment.
17	46:590	361	Item 207.01	1025	89–283	405(d)	Addition.
17	46:590	361	Item 220.25	935	89–241	12(a)	Do.
17	46:590	361	Item 220.46	1025	89–283	405(d)	Do.
17	46:590	361	Items 245.45, 245.50	935	89–241	13	Item 245.50 deleted; new 245.45, 245.50 and prec. heading added.
17	46:590	361	Item 251.49	935	89–241	14	Amendment.
17	46:590	361	Item 256.48	935	89–241	11(b)	Do.
17	46:590	361	Item 256.50	935	89–241	11(b)	Repeal.
17	46:590	361	Sched. 3, Hdnt. 2(a)(vi)	935	89–241	15(a)(1)	Amendment.
17	46:590	361	Sched. 3, Hdnt. 4	936	89–241	15(b)	Revision.
17	46:590	361	Sched. 3, Hdnt. 5	935	89–241	15(a)(2)	Addition.
17	46:590	361	Item 305.14	936	89–241	16(a)	Amendment.
17	46:590	361	Items 335.55, 335.60	937	89–241	16(b)	Addition.
17	46:590	361	Item 353.50	937	89–241	17(a)	Amendment.
17	46:590	361	Sched. 3, Pt. 4, C, Hdnt. 2(c)	936	89–241	15(c)(1)	Addition.
17	46:590	361	Sched. 3, Pt. 4, C, Hdnt. 3	936	89–241	15(b)	Repeal.
17	46:590	361	Item 355.27	1024	89–283	405(c)	Addition.
17	46:590	361	Heading prec. Item 355.65	936	89–241	15(c)(2)	Amendment.
17	46:590	361	Items 355.80–355.82	936	89–241	15(c)(3)	Item 355.80 repealed; new 355.81, 355.82 and prec. heading added.
17	46:590	361	Items 356.50, 356.51	937	89–241	18	Item 356.50 deleted; new 356.50, 356.51 and prec. heading added.
17	46:590	361	Item 357.60	937	89–241	17(b)	Amendment.
17	46:590	361	Items 357.91, 357.96	1025	89–283	405(d)	Addition.
17	46:590	361	Items 358.02–358.16	937	89–241	19(a)	Items 358.05, 358.10 and prec. heading repealed; new 358.02–358.16 and prec. heading added.
17	46:590	361	Item 358.03	1025	89–283	405(d)	Addition.
17	46:590	361	Item 361.90	1024	89–283	405(b)	Do.
17	46:590	361	Items 365.55–365.65 and prec. heading	938	89–241	20	Deletion.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public Law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Items 365.77, 365.78	938	89–241	20	Item 365.78 and prec. heading deleted; new 365.77, 365.78 and prec. heading added.
17	46:590	361	Items 376.50–376.58	936	89–241	15(d)	Items 376.50, 376.54, 376.58 and prec. heading repealed; new 376.54, 376.56 and prec. heading added.
17	46:590	361	Item 385.61	938	89–241	21	Amendment.
17	46:590	361	Item 389.80	1024	89–283	405(c)	Addition.
17	46:590	361	Item 425.82	938	89–241	22	Amendment.
17	46:590	361	Heading prec. Item 428.50	938	89–241	23	Do.
17	46:590	361	Item 429.80	938	89–241	24(a)	Repeal.
17	46:590	361	Sched. 4, Pt. 4, A, Hdnts. 1, 2	938	89–241	25	Amendment.
17	46:590	361	Sched. 4, Pt. 8, Hdnt. 1	938	89–241	24(e)	Do.
17	46:590	361	Items 465.87, 465.92	938	89–241	24(b), (c)	Addition.
17	46:590	361	Sched. 4, Pt. 9, B, Hdnt. 1	939	89–241	26	Amendment.
17	46:590	361	Item 493.18	938	89–241	24(d)	Addition.
17	46:590	361	Sched. 5, Pt. 1, A, Hdnt. 1(b)	939	89–241	27	Revision.
17	46:590	361	Item 516.98	1024	89–283	405(b)	Addition.
17	46:590	361	Item 517.82	1025	89–283	405(d)	Do.
17	46:590	361	Items 520.19–520.21	939	89–241	28(a), (b)	Item 520.21 deleted; new 520.19–520.21 and prec. heading added.
17	46:590	361	Item 531.37	939	89–241	29	Amendment.
17	46:590	361	Item 535.15	1025	89–283	405(d)	Addition.
17	46:590	361	Item 540.72	1025	89–283	405(d)	Do.
17	46:590	361	Items 542.75, 542.77	939	89–241	30	Amendment.
17	46:590	361	Item 544.18	1025	89–283	405(d)	Addition.
17	46:590	361	Items 544.32, 544.42	1025	89–283	405(d)	Do.
17	46:590	361	Items 544.52, 544.55	1025	89–283	405(d)	Do.
17	46:590	361	Items 545.62, 545.64	1025	89–283	405(d)	Do.
17	46:590	361	Item 547.16	1025	89–283	405(d)	Do.
17	46:590	361	Sched. 6, Pt. 1, Hdnt. 2(a)	939	89–241	31	Amendment.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Item 605.07	939	89–241	32	Amendment.
17	46:590	361	Item 607.25	839	89–204	----------	Duty-free provisions, applicability.
17	46:590	361	Items 609.40–609.43	939	89–241	33	Items 609.40, 609.42 and prec. heading deleted; new 609.40–609.43 and prec. heading added.
17	46:590	361	Item 610.81	1025	89–283	405(d)	Addition.
17	46:590	361	Items 613.16, 613.18	1025	89–283	405(d)	Item 613.16 redesignated as 613.18; new 613.16 added.
17	46:590	361	Item 613.19	1025	89–283	405(d)	Addition.
17	46:590	361	Item 618.48	1025	89–283	405(d)	Do.
17	46:590	361	Items 620.02, 620.32	839	89–204	----------	Duty-free provisions, applicability.
17	46:590	361	Item 620.47	1025	89–283	405(d)	Addition.
17	46:590	361	Sched. 6, Pt. 3, Hdnt. 2	939	89–241	34	Do.
17	46:590	361	Item 642.21	1025	89–283	405(d)	Do.
17	46:590	361	Item 642.35	940	89–241	35(a)	Amendment.
17	46:590	361	Heading prec. Item 642.45	940	89–241	35(b)	Do.
17	46:590	361	Items 642.86, 642.88	1025	89–283	405(d)	Addition.
17	46:590	361	Item 642.96	940	89–241	35(c)	Amendment.
17	46:590	361	Item 646.79	1024	89–283	405(b)	Addition.
17	46:590	361	Item 646.93	1025	89–283	405(d)	Do.
17	46:590	361	Items 647.00–647.03	940	89–241	36(a)	Item 647.00 repealed; new 647.01, 647.03 and prec. heading added.
17	46:590	361	Items 647.02, 647.06	1025	89–283	405(d)	Addition.
17	46:590	361	Sched. 6, Pt. 3, E, Hdnts. 4–6	939	89–241	34	Headnote 4 deleted; 5, 6 redesignated as 4, 5.
17	46:590	361	Item 648.53	941	89–241	37	Amendment.
17	46:590	361	Items 649.05, 649.07	941	89–241	38	Do.
17	46:590	361	Item 649.65	942	89–241	45(a)	Do.
17	46:590	361	Item 651.15	942	89–241	40(a)	Addition.
17	46:590	361	Item 651.33	941	89–241	39	Do.
17	46:590	361	Heading prec. Item 651.39	942	89–241	41	Amendment.
17	46:590	361	Item 651.75	942	89–241	40(c)	Do.
17	46:590	361	Item 652.10	1025	89–283	405(d)	Addition.
17	46:590	361	Heading prec. Item 652.12	942	89–241	42(1)	Amendment.
17	46:590	361	Item 652.21	942	89–241	42(2)	Do.
17	46:590	361	Heading prec. Item 652.24	942	89–241	42(3)	Do.
17	46:590	361	Item 652.35	942	89–241	42(3)	Addition.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Item 652.39	1024	89–283	405(b)	Addition.
17	46:590	361	Items 652.40–652.42	942	89–241	43	Item 652.40 deleted; new 652.41, 652.42 and prec. heading added.
17	46:590	361	Item 652.76	1025	89–283	405(d)	Addition.
17	46:590	361	Items 652.84, 652.85	1025	89–283	405(d)	Item 652.85 redesignated as 652.84; new 652.85 added.
17	46:590	361	Item 652.86	940	89–241	36(b)	Addition.
17	46:590	361	Items 652.87, 652.88	1025	89–283	405(d)	Item 652.87 redesignated as 652.88; new 652.87 added.
17	46:590	361	Item 652.89	1025	89–283	405(d)	Addition.
17	46:590	361	Heading prec. Item 653.85	942	89–241	44	Amendment.
17	46:590	361	Item 653.97	942	89–241	44	Do.
17	46:590	361	Item 658.10	1024	89–283	405(b)	Addition.
17	46:590	361	Sched. 6, Pt. 4, Hdnt. 1(iii)	943	89–241	46	Amendment.
17	46:590	361	Sched. 6, Pt. 4, Hdnt. 1(iv)–(vi)	944	89–241	50(a)	Subpar. (iv) deleted; (v), (vi) redesignated as (iv), (v).
17	46:590	361	Item 660.40	943	89–241	49(c)	Amendment.
17	46:590	361	Items 660.43, 660.45, 660.47	1025	89–283	405(d)	Addition.
17	46:590	361	Items 660.51, 660.53, 660.55	*1025	89–283	405(d)	Do.
17	46:590	361	Item 660.86	1025	89–283	405(d)	Do.
17	46:590	361	Items 660.90–660.94	940	89–241	36(c)	Item 660.90 repealed; new 660.92, 660.94 and prec. heading added.
17	46:590	361	Items 660.93, 660.95	1025	89–283	405(d)	Addition.
17	46:590	361	Items 661.09, 661.10	943	89–241	47	Item 661.10 deleted; new 661.09, 661.10 and prec. heading added.
17	46:590	361	Items 661.11, 661.13, 661.16	1025	89–283	405(d)	Addition.
17	46:590	361	Items 661.21, 661.36	1025	89–283	405(d)	Do.
17	46:590	361	Heading prec. Item 661.65	942	89–241	45(b)	Amendment.
17	46:590	361	Items 661.92, 661.95	943	89–241	48(a)	Item 661.95 deleted; new 661.92, 661.95 added.
17	46:590	361	Items 661.93, 661.96	1025	89–283	405(d)	Addition.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Item 662.36	1025	89–283	405(d)	Addition.
17	46:590	361	Item 662.45	935	89–241	10(b)	Amendment.
17	46:590	361	Item 662.51	1025	89–283	405(d)	Addition.
17	46:590	361	Item 664.11	1025	89–283	405(d)	Do.
17	46:590	361	Sched. 6, Pt. 4, C, Hdnt. 1	943	89–241	49(a)	Amendment.
17	46:590	361	Item 666.00	943	89–241	49(b)	Do.
17	46:590	361	Item 672.05	943	89–241	45(c)	Do.
17	46:590	361	Item 678.51	1025	89–283	405(d)	Addition.
17	46:590	361	Items 680.10–680.12	943	89–241	45(d)	Item 680.10 deleted; new 680.11, 680.12 and prec. heading added.
17	46:590	361	Heading prec. Item 680.20	944	89–241	50(b)	Amendment.
17	46:590	361	Items 680.21, 680.23	1025	89–283	405(d)	Addition.
17	46:590	361	Items 680.28, 680.31	1025	89–283	405(d)	Do.
17	46:590	361	Items 680.33, 680.34	1025	89–283	405(d)	Item 680.34 (added 79 Stat. 940) redesignated as 680.33; new 680.34 added.
17	46:590	361	Items 680.34, 680.35	940	89–241	36(d)	Item 680.35 repealed; new 680.34, 680.35 and prec. heading added.
17	46:590	361	Item 680.36	1025	89–283	405(d)	Addition.
17	46:590	361	Heading fol. Item 680.40	943	89–241	49(d)	Amendment.
17	46:590	361	Item 680.45	944	89–241	51	Do.
17	46:590	361	Item 680.58	943	89–241	48(b)	Addition.
17	46:590	361	Items 680.58, 680.60	1025	89–283	405(d)	Item 680.58 redesignated as 680.60; new 680.58 added.
17	46:590	361	Item 680.59	940	89–241	36(e)	Addition.
17	46:590	361	Items 680.59, 680.70	1025	89–283	405(d)	Item 680.59 redesignated as 680.70.
17	46:590	361	Items 680.60, 680.90	1025	89–283	405(d)	Item 680.60 redesignated as 680.90.
17	46:590	361	Item 680.91	1025	89–283	405(d)	Addition.
17	46:590	361	Sched. 6, Pt. 5, Hdnt. 1 (vi)	940	89–241	36(f)(1)	Revision.
17	46:590	361	Item 682.20	944	89–241	52(a)	Amendment.
17	46:590	361	Item 682.52	944	89–241	52(b)	Addition.
17	46:590	361	Item 682.65	1024	89–283	405(b)	Do.
17	46:590	361	Item 682.70 and prec. heading	940	89–241	36 (f)(2), (g)	Amendment.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Item 682.70	950	89-241	89 (a), (c)	Supplemental provision.
17	46:590	361	Item 682.71	1025	89-283	405(d)	Addition.
17	46:590	361	Item 682.80	940	89-241	36 (f)(3)	Amendment.
17	46:590	361	Item 682.91	1025	89-283	405(d)	Addition.
17	46:590	361	Items 683.11, 683.16	1025	89-283	405(d)	Do.
17	46:590	361	Item 683.60	950	89-241	89 (a), (c)	Supplemental provision.
17	46:590	361	Item 683.61	1025	89-283	405(d)	Addition.
17	46:590	361	Item 683.65	941	89-241	36(h)	Do.
17	46:590	361	Item 683.66	1025	89-283	405(d)	Do.
17	46:590	361	Items 684.41, 684.63, 684.71	1025	89-283	405(d)	Do.
17	46:590	361	Items 685.40, 685.42 and prec. heading	944	89-241	53 (a), (b)	Items 685.40, 685.42 and prec. heading deleted; new 685.40 added.
17	46:590	361	Item 685.55	1024	89-283	405(b)	Addition.
17	46:590	361	Items 685.71, 685.81, 685.91	1025	89-283	405(d)	Do.
17	46:590	361	Items 686.11, 686.23	1025	89-283	405(d)	Do.
17	46:590	361	Items 686.20–686.24	941	89-241	36(i)	Item 686.20 repealed; new 686.22, 686.24 and prec. heading added.
17	46:590	361	Items 686.61, 686.81	1025	89-283	405(d)	Addition.
17	46:590	361	Items 687.50, 687.60 and prec. heading	944	89-241	54(a)	Revision.
17	46:590	361	Items 687.51, 687.61	1025	89-283	405(d)	Addition.
17	46:590	361	Items 688.04–688.06	945	89-241	55	Item 688.05 repealed; new 688.04, 688.06 and prec. heading added.
17	46:590	361	Item 688.12	941	89-241	36(j)	Addition.
17	46:590	361	Items 688.13, 688.41	1025	89-283	405(d)	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Item 690.35	945	89–241	56	Amendment.
17	46:590	361	Sched. 6, Pt. 6, B, Hdnt. 1(b)	1023	89–283	405(a)	Do.
17	46:590	361	Sched. 6, Pt. 6, B, Hdnt. 2	1022	89–283	404	Addition.
17	46:590	361	Items 692.06, 692.11	1023	89–283	405(a)	Do.
17	46:590	361	Items 692.21, 692.23	1023	89–283	405(a)	Do.
17	46:590	361	Items 692.25, 692.27	1023	89–283	405(a)	Item 692.25 redesignated as 692.27; new 692.25 added.
17	46:590	361	Item 692.28	1023	89–283	405(a)	Addition.
17	46:590	361	Sched. 7, Pt. 1, A, Hdnt. 3(b)	945	89–241	57(a)	Amendment.
17	46:590	361	Items 700.50–700.53	945	89–241	57(b)	Item 700.50 deleted; new 700.51–700.53 and prec. heading added.
17	46:590	361	Item 702.35	945	89–241	58	Amendment.
17	46:590	361	Heading prec. Item 703.20	945	89–241	59	Do.
17	46:590	361	Item 706.24	950	89–241	89 (b), (c)	Supplemental provision.
17	46:590	361	Item 706.60	950	89–241	89 (b), (c)	Do.
17	46:590	361	Sched. 7, Pt. 2, A, Hdnt. 4	942	89–241	40(b)	Addition.
17	46:590	361	Item 709.06	945	89–241	60(a)	Do.
17	46:590	361	Item 709.10	945	89–241	60(b)	Amendment.
17	46:590	361	Item 710.12	945	89–241	61	Do.
17	46:590	361	Item 710.88	946	89–241	62	Do.
17	46:590	361	Sched. 7, Pt. 2, D, Hdnts. 1, 2(a)	941	89–241	36(k)(1)	Do.
17	46:590	361	Items 711.65–711.70	946	89–241	63(b)	Items 711.65, 711.70 and prec. heading repealed; new 711.67 added.
17	46:590	361	Item 711.85	1025	89–283	405(d)	Addition.
17	46:590	361	Items 711.90–711.98	941	89–241	36(k)(2)	Items 711.90–711.98 and prec. heading deleted; new 711.90–711.98 and prec. heading added.
17	46:590	361	Items 711.91, 711.93	1025	89–283	405(d)	Item 711.91 redesignated as 711.93; new 711.91 added.
17	46:590	361	Item 711.99	1025	89–283	405(d)	Addition.
17	46:590	361	Item 712.25 and prec. heading	941	89–241	36(k)(3)	Amendment.
17	46:590	361	Item 712.51	1025	89–283	405(d)	Addition.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Sched. 7, Pt. 2, E, Hdnt. 5	946	89–241	63(a)	Addition.
17	46:590	361	Item 721.20	1024	89–283	405(b)	Do.
17	46:590	361	Item 722.52	946	89–241	64	Amendment.
17	46:590	361	Items 722.83–722.85	946	89–241	65	Item 722.84 deleted; new 722.83, 722.85 and prec. heading added.
17	46:590	361	Item 723.35	946	89–241	66	Amendment.
17	46:590	361	Item 724.40	946	89–241	67	Do.
17	46:590	361	Items 725.45–725.47	946	89–241	68	Item 725.45 deleted; new 725.46, 725.47 and prec. heading added.
17	46:590	361	Item 727.06	941	89–241	36(l)	Addition.
17	46:590	361	Item 727.07	1025	89–283	405(d)	Do.
17	46:590	361	Item 728.20	935	89–241	12(b)	Amendment.
17	46:590	361	Item 728.30	1024	89–283	405(c)	Addition.
17	46:590	361	Item 734.25	947	89–241	69	Amendment.
17	46:590	361	Item 737.07	947	89–241	70	Do.
17	46:590	361	Items 740.35, 740.37	947	89–241	71(a)	Items 740.35, 740.37 deleted; new 740.35, 740.37 and prec. heading added.
17	46:590	361	Heading prec. Item 740.70	947	89–241	71(b)	Amendment.
17	46:590	361	Sched. 7, Pt. 7, A, Hdnt. 2	947	89–241	72	Revision.
17	46:590	361	Items 745.45, 745.47	947	89–241	73	Items 745.45, 745.47 and prec. heading deleted; new 745.45 added.
17	46:590	361	Items 745.63–745.68	947	89–241	74	Items 745.63, 745.65, 745.67 and prec. heading deleted; new 745.63–745.68 and prec. heading added.
17	46:590	361	Heading prec. Item 745.70	947	89–241	75	Amendment.
17	46:590	361	Item 745.80	1024	89–283	405(c)	Addition.
17	46:590	361	Items 748.34–748.36	948	89–241	76	Item 748.35 deleted; new 748.34, 748.36 and prec. heading added.
17	46:590	361	Sched. 7, Pt. 8, A, Hdnt. 1(i)	948	89–241	77	Revision.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Sched. 7, Pt. 8, A, Hdnt. 3	948	89–241	78 (b), (c)	Addition.
17	46:590	361	Items 750.26–750.33	948	89–241	78 (a), (c)	Items 750.30, 750.31 deleted; new 750.26–750.33 and prec. heading added.
17	46:590	361	Item 755.15	949	89–241	79	Amendment.
17	46:590	361	Sched. 7, Pt. 12, B, Hdnts. 1(b), 2(iv) (B), (C)	949	89–241	80	Do.
17	46:590	361	Heading prec. Item 771. 40	936	89–241	15(e)	Do.
17	46:590	361	Item 772.42	949	89–241	81	Do.
17	46:590	361	Items 772.50, 772.59	944	89–241	49 (e), (f)	Addition.
17	46:590	361	Item 772.66	1025	89–283	405(d)	Do.
17	46:590	361	Item 772.75	936	89–241	15(f)	Repeal.
17	46:590	361	Items 772.81, 772.86	1025	89–283	405(d)	Addition.
17	46:590	361	Items 773.26, 773.31	1025	89–283	405(d)	Do.
17	46:590	361	Item 773.35	937	89–241	19(b)	Amendment.
17	46:590	361	Item 774.70	1024	89–283	405(c)	Addition.
17	46:590	361	Item 790.15	949	89–241	82	Do.
17	46:590	361	Item 790.39	936	89–241	15(f)	Do.
17	46:590	361	Items 790.45, 790.47	949	89–241	83	Item 790.45 deleted; new 790.45, 790.47 and prec. heading added.
17	46:590	361	Items 791.81, 791.91	1025	89–283	405(d)	Addition.
17	46:590	361	Item 792.75	949	89–241	84	Do.
17	46:590	361	Item 807.00	949	89–241	85	Partial revision.
17	46:590	361	Sched. 8, Pt. 2, A, Hdnt. 1(a)	208	89–62	1(c)(3)	Amendment.
17	46:590	361	Items 813.30, 813.31	208	89–62	1 (a), (b)	Do.
17	46:590	361	Item 813.32	208	89–62	1(c)	Repeal.
17	46:590	361	Item 813.40	208	89–62	1(c)(2)	Amendment.
17	46:590	361	Items 905.30, 905.31 (App.)	901	89–229	1	Duty suspension, extension.
17	46:590	361	Item 907.77 (App.)	950	89–241	86	Amendment.
17	46:590	361	Item 909.25 (App.)	950	89–241	87 (a), (b)	Addition.
17	46:590	361	Items 911.10–911.12 (App.)	207	89–61	----------	Duty suspension, extension.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1930							
June 17	46:590	361	Items 911.21–911.23 (App.)	839	89–204	1, 2	Addition.
17	46:590	361	Item 911.70 (App.)	943	89–241	45(e)	Amendment.
17	46:590	361	Item 911.90 (App.)	944	89–241	54(b)	Addition.
17	46:590	361	Item 915.30 (App.)	208	89–62	3	Duty exemption, extension.
17	46:590	361	Pt. 2, A, Hdnt. 2 (App.)	1515	Proc. No. 3683	----------	Revocation.
17	46:590	361	Items 923.75, 923.77 (App.)	939	89–241	30	Amendment.
17	46:590	361	Items 925.01–925.04 and prec. heading (App.)	1515	Proc. No. 3683	----------	Revocation.
17	46:590	361	Pt. 3, Hdnt.2(b),(c) (App.)	950	89–241	88	Amendment.
17	46:590	361	321(a)(2)	208	89–62	2	Do.
17	46:590	361	514	933, 950	89–241	2(b), 89(c)	Exception.
17	46:590	361	514	1018	89–283	203(a)	Do.
26	46:817	440	----------	264	89–87	----------	(Revised. See 1940, P.L. 830.)
1932							
June 30	47:382	212	321	971	89–249	7	Nonapplicability.
30	47:382	212	322	644	89–164	----------	Exception.
July 1	47:564	240	----------	821	89–190	1	Applicability.
15	47:696	287	4 (a), (b)	113	89–24	1	Existing text designated as (a); subsec. (b) added.
15	47:696	287	4(a)	113	89–24	1	Exception.
1933							
Mar. 3	47:1425	415	2	213	89–71	----------	Partial revision.
May 12	48:31	10	----------	1188	89–321	104	Supplemental provision.
12	48:31	10	2(3)	1270	89–330	1(a)	Amendment.
12	48:31	10	8c(5)(B)	1187	89–321	101	Do.
12	48:31	10	8c(5)(B)(d)	1187	89–321	101	Revision.
12	48:31	10	8c(5)(H)	1187	89–321	102(a)	Addition.
12	48:31	10	8c(6)(I)	1270	89–330	1(b)	Amendment.
12	48:31	10	8c(12)	1187	89–321	101	Exception.
12	48:31	10	8c(18)	1187	89–321	102(b)	Amendment.
12	48:31	10	8c(19)	1187	89–321	101	Exception.
12	48:31	10	8f	432	89–106	9	Repeal.
12	48:31	10	43(b)(1)	257	89–81	210	Partial repeal.
27	48:74	22	6(b)	1051	89–289	----------	Amendment.
June 13	48:128	43	5(c)	465	89–117	201(b)(3)	Amendment; exception.
13	48:128	43	5(c)	507	89–117	1110(a)–(c)	Amendment.
16	48:257	75	22(b), 23	924	89–237	2(a), (b)	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1934							
June 19	48:1064	416	3(w)(5)	511	89–121	1(1)	Addition.
19	48:1064	416	3(x), (y)	511	89–121	1(2), (3)	Revision.
19	48:1064	416	3(z), (aa)	511	89–121	1(4)	Subsec. (z) redesignated as (aa); new (z) added.
19	48:1064	416	3(aa)–(ee)	511	89–121	1(4)	Former subsecs. (aa)–(dd) redesignated as (bb)–(ee).
19	48:1064	416	3(ee)–(gg)	511	89–121	1(4)	Former subsecs. (ee), (ff) repealed; (gg) redesignated as (ff).
19	48:1064	416	303(q)	990	89–268	----------	Amendment.
19	48:1064	416	351–364	513	89–121	3(b), (c)	Exemptions.
19	48:1064	416	351(a)	512	89–121	2	Revision.
19	48:1064	416	352(a)(6)–(8)	512	89–121	3(a)	Par. (6) deleted; new (6)–(8) added.
19	48:1064	416	352(b)(1)	513	89–121	3(b)	Revision.
19	48:1064	416	352(d)	513	89–121	3(c)	Addition.
19	48:1064	416	353–357	513	89–121	4–8	Revision.
19	48:1064	416	359(a)	516	89–121	9	Do.
19	48:1064	416	361	516	89–121	10	Do.
27	48:1246	479	----------	469, 472, 473	89–117	208(a), 215 217(a)	Exceptions.
27	48:1246	479	1	507	89–117	1108(bb)	Amendment.
27	48:1246	479	2(a)	465	89–117	202(a)	Do.
27	48:1246	479	2(f)	504	89–117	1108(a)	Do.
27	48:1246	479	8(g)	504	89–117	1108(b)(1)	Do.
27	48:1246	479	8(h), (i)	504	89–117	1108(b)(2)	Deletion.
27	48:1246	479	203(b)(2)	466	89–117	206(a)	Amendment.
27	48:1246	479	203(b)(2)(iii)	466	89–117	203	Do.
27	48:1246	479	203(b)(9)	466	89–117	204, 206(b)	Do.
27	48:1246	479	203(i)	466	89–117	205	Do.
27	48:1246	479	203(k)	504	89–117	1108(c)	Do.
27	48:1246	479	204 (a), (c), (d)	504	89–117	1108(d)(1)–(6)	Do.
27	48:1246	479	204(f)(1)(i)	504	89–117	1108(d)(7)	Do.
27	48:1246	479	207	464, 506, 507	89–117	201(a), 1108(o), (q), (u), (z)	Applicability.
27	48:1246	479	207(b)	504	89–117	1108(e)(4)	Amendment.
27	48:1246	479	207(c)(3)	467	89–117	207(a)	Do.
27	48:1246	479	207(d)	504	89–117	1108(e) (1), (2)	Do.
27	48:1246	479	207(f)	504	89–117	1108(e)(3)	Deletion.
27	48:1246	479	207(h)–(l)	504	89–117	1108(e)(4)	Amendment.
27	48:1246	479	207(m), (p)	504	89–117	1108(e)(3)	Deletion.
27	48:1246	479	209	504	89–117	1108(f)	Amendment.
27	48:1246	479	212	465	89–117	201(b)(4)	Applicability.
27	48:1246	479	212(a)	454, 465	89–117	102(c), 201(b)(4)	Amendment.
27	48:1246	479	213(a)	469	89–117	208(b)	Do.
27	48:1246	479	213(a)(3)	505	89–117	1108(g)(1)	Do.
27	48:1246	479	213(b)(2)	467	89–117	207(b)(1)	Do.
27	48:1246	479	213(c)	467	89–117	207(b)(2)	Do.
27	48:1246	479	213(e)	469, 505	89–117	208(b)(2), 1108(g)	Do.
27	48:1246	479	213 (k)–(o)	468	89–117	208(a)	Addition.
27	48:1246	479	217	465	89–117	202(b)	Amendment.

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Provisions affected				Amendatory provisions			
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1934							
June 27	48:1246	479	219	507	89–117	1108(aa)	Repeal.
27	48:1246	479	220(d)(1)(A)(iv)	478	89–117	311(c)	Addition.
27	48:1246	479	220(d)(2)	505	89–117	1108(h)(1)	Amendment.
27	48:1246	479	220(d)(3)(A)(i)	469	89–117	209(1)	Do.
27	48:1246	479	220(d)(3)(A)(ii)–(iv)	469	89–117	209(2)	Clause (ii) deleted; new (ii)–(iv) added.
27	48:1246	479	220(d)(3)(B)(iii)	467	89–117	207(c)	Amendment.
27	48:1246	479	220(d)(3)(B)(iv)	470	89–117	210	Clause (iv) deleted; new (iv) added.
27	48:1246	479	220(f)	505	89–117	1108(h)(1)	Amendment.
27	48:1246	479	220(f)(3)(C)	505	89–117	1108(h)(2)	Deletion.
27	48:1246	479	220(g)	505	89–117	1108(h)(3)	Do.
27	48:1246	479	220(h)(1)	478	89–117	311(d)	Amendment.
27	48:1246	479	220(h)(2)(i)	470	89–117	211(a)	Do.
27	48:1246	479	220(h)(4)	505	89–117	1108(h)(3)	Deletion.
27	48:1246	479	220(h)(5), (7)	505	89–117	1108(h)(4)	Amendment.
27	48:1246	479	220(h)(11)	470	89–117	211(b)	Do.
27	48:1246	479	221(d)(3)(ii)	467	89–117	207(d)	Do.
27	48:1246	479	221(d)(4)	505	89–117	1108(i)(1)	Do.
27	48:1246	479	221(d)(4)(ii)	467	89–117	207(d)	Do.
27	48:1246	479	221(d)(5)	454	89–117	102(b)	Do.
27	48:1246	479	221(f)	454, 505	89–117	102(a), 1108(i)(1)	Do.
27	48:1246	479	221(g)(1)–(3)	505	89–117	1108(i)(1)(2)	Do.
27	48:1246	479	221(g)(3)(C)	505	89–117	1108(i)(3)	Deletion.
27	48:1246	479	221(h)	505	89–117	1108(i)(4)	Do.
27	48:1246	479	222(b)(2)	470	89–117	212(1)	Amendment.
27	48:1246	479	222(b)(3)	470	89–117	212(2)	Par. (3) deleted; new (3) added.
27	48:1246	479	222(e)	505	89–117	1108(j)(1)	Amendment.
27	48:1246	479	222(f)	505	89–117	1108(j)(2)	Deletion.
27	48:1246	479	223(a)(7)	471	89–117	213	Amendment.
27	48:1246	479	223(a)(8)	461	89–117	108(e)	Addition.
27	48:1246	479	229	505	89–117	1108(k)	Amendment.
27	48:1246	479	231(c)(2), (4)	467, 505	89–117	207(e), 1108(l)(1)	Do.
27	48:1246	479	231(e)	505	89–117	1108(l)(2)	Do.
27	48:1246	479	232(d)(1), (f)	505	89–117	1108(m)(1), (2)	Do.
27	48:1246	479	233(f)(1)	505	89–117	1108(n)(1)	Do.
27	48:1246	479	233(f)(3)	505	89–117	1108(n)(2)	Deletion.
27	48:1246	479	233(g)	505	89–117	1108(n)(3)	Do.
27	48:1246	479	234(d)(2)	506	89–117	1108(o)(1)	Amendment.
27	48:1246	479	234(e)(3)	468	89–117	207(f)	Do.
27	48:1246	479	234(g)	506	89–117	1108(o)(1)	Do.
27	48:1246	479	234(h)	506	89–117	1108(o)(2)	Deletion; new (h) added.
27	48:1246	479	234(i), (j)	506	89–117	1108(o)(3)	Subsec. (i) deleted; (j) redesignated as (i).
27	48:1246	479	302(b)	465, 494, 501	89–117	201(b)(1), 803, 804, 1004(a)	Amendment.
27	48:1246	479	302(b)(2)	493	89–117	802(a)(1)	Do.
27	48:1246	479	302(b)(3)	494	89–117	803	Exception.

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1934							
June 27	48:1246	479	302(c)	454, 493	89–117	102(d), 802(a)(2), (3)	Amendment.
27	48:1246	479	303(b)	501	89–117	1004(b)	Do.
27	48:1246	479	305(c), (f)	493	89–117	801(a), (b)	Do.
27	48:1246	479	306(e)	494	89–117	802(b)	Revision.
27	48:1246	479	308	669	89–174	5(b)	Partial repeal.
27	48:1246	479	404(e), (f)	508	89–117	1110(d)	Applicability.
27	48:1246	479	404(h)	508	89–117	1110(d)	Addition.
27	48:1246	479	519–522	471–473	89–117	214–217(a)	Do.
27	48:1246	479	602	507	89–117	1108(aa)	Repeal.
27	48:1246	479	604 (c), (d)	506	89–117	1108(p)	Amendment.
27	48:1246	479	604(f)(1)(i)	506	89–117	1108(p)	Do.
27	48:1246	479	605	507	89–117	1108(aa)	Repeal.
27	48:1246	479	608(b)(1), (d)	506	89–117	1108(q)(1)	Amendment.
27	48:1246	479	608(f)	506	89–117	1108(q)(2)	Deletion; new (f) added.
27	48:1246	479	609(f)(1)–(4)	506	89–117	1108(r)	Clause (1) deleted; (2)–(4) redesignated as (1)–(3).
27	48:1246	479	707	506	89–117	1108(s)	Amendment.
27	48:1246	479	708 (c), (e), (g), (h)	506	89–117	1108(t)	Do.
27	48:1246	479	710	507	89–117	1108(aa)	Repeal.
27	48:1246	479	802	507	89–117	1108(aa)	Do.
27	48:1246	479	803(b)(1), (2)	506	89–117	1108(u)(1)	Amendment.
27	48:1246	479	803 (e)–(g)	506	89–117	1108(u)(1)	Do.
27	48:1246	479	803(h)	506	89–117	1108(u)(2)	Deletion; new (h) added.
27	48:1246	479	804	507	89–117	1108(aa)	Repeal.
27	48:1246	479	809 (b), (e)	506	89–117	1108(v)	Amendment.
27	48:1246	479	809 (f), (g)	466, 506	89–117	202(c), 1108(v)	Do.
27	48:1246	479	810 (e), (j)	506	89–117	1108(w)(1)–(3)	Do.
27	48:1246	479	810(k)	466	89–117	202(e)	Do.
27	48:1246	479	902	507	89–117	1108(aa)	Repeal.
27	48:1246	479	903(a)	507	89–117	1108(x)	Amendment.
27	48:1246	479	904 (c)–(e)	507	89–117	1008(y)(1), (2)	Do.
27	48:1246	479	905	507	89–117	1108(aa)	Repeal.
27	48:1246	479	908(b)(1), (d)	507	89–117	1108(z)(1), (2)	Amendment.
27	48:1246	479	908(f)	507	89–117	1108(z)(3)	Deletion; new (f) added.
27	48:1246	479	1001–1012	461	89–117	201(a)	Addition.
1935							
Mar. 6	49:39	19	1, 2, 3(A)	785	89–183	8	Repeal, with exception.
Apr. 8	49:111	27	1–15	785	89–183	8	Do.
8	49:111	27	1	1309	89–347	10, 11	Amendment.
27	49:163	46	8(b)	1118–1120	89–301	9(a), 10	Compensation rates, increase; severance pay.
27	49:163	46	8(g)	1196	89–321	402(a)	Applicability.
27	49:163	46	16(b)(3), (4)	1208	89–321	602(g)	Repeal, with exception.
27	49:163	46	16(e)(6)	1208	89–321	602(g)	Do.

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Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1935							
Apr. 27	49:163	46	16(i)	1190, 1191	89–321	302	Addition; exceptions.
June 19	49:388	152	1, 7, 8	543	89–130	----------	Deletion; replaced by new text.
Aug. 7	49:540	253	----------	427	89–104	----------	Amendment.
14	49:620	271	2(a)(10)	421	89–97	406	Exception.
14	49:620	271	2(a)(10)(A)	418	89–97	403(a)	Amendment.
14	49:620	271	2(a)(11)(D)	421	89–97	406	Exception.
14	49:620	271	2(a)(12), (13)	357	89–97	221(a)(3)	Addition.
14	49:620	271	3 (a)–(c)	357	89–97	221(a)(4)	Exception.
14	49:620	271	3(a)(1)	353, 414	89–97	122, 401(a)	Amendment.
14	49:620	271	3(a)(1)(A)	414	89–97	401(a)	Do.
14	49:620	271	3(a)(1)(B), (C)	414	89–97	401(a)	Clauses (B), (C) deleted; new (B) added.
14	49:620	271	3(a)(2)	353	89–97	122	Amendment.
14	49:620	271	3(d)	357	89–97	221(a)(4)	Addition.
14	49:620	271	6(a)	356	89–97	221(a)(1)	Revision.
14	49:620	271	6(a)	415	89–97	402(a)	Amendment.
14	49:620	271	6(b)	356, 360	89–97	221(a), 222(a)	Do.
14	49:620	271	201–227	312, 392	89–97	102(a), 319(d)	Exception.
14	49:620	271	201–227	904	89–234	2(d)	Restriction.
14	49:620	271	201(a)(3), (4)	338	89–97	108(a)	Amendment.
14	49:620	271	201(b)(1), (2)	370	89–97	305	Do.
14	49:620	271	201(c)	400	89–97	327	Do.
14	49:620	271	201(g)(1)	338	89–97	108(a)	Revision.
14	49:620	271	201(g)(2)	338	89–97	108(a)(4)	Amendment.
14	49:620	271	201(h)	338	89–97	108(a)(5)	Do.
14	49:620	271	202(a)	379	89–97	309(a)	Exception.
14	49:620	271	202(b)	375, 379	89–97	308(a), 309(a)	Revison; exception.
14	49:620	271	202(b)(1)	376	89–97	308(a)	Exception.
14	49:620	271	202(b)(3)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	202(c)(1)	378	89–97	308(d)(1)	Amendment.
14	49:620	271	202(c)(2)	372	89–97	306(c)(2)	Do.
14	49:620	271	202(c)(2)(B)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	202(c)(2)(C)	405	89–97	334(e)	Addition.
14	49:620	271	202(d)	410	89–97	339(b)	Amendment.
14	49:620	271	202(d)(1)	371	89–97	306(b)(1), (2)	Amendment; partial repeal.
14	49:620	271	202(d)(1)	397	89–97	323(a)(1)	Amendment.
14	49:620	271	202(d)(1)(B)	370	89–97	306(a)	Revision.
14	49:620	271	202(d)(1)(D)	412	89–97	343	Amendment.
14	49:620	271	202(d)(6)	372	89–97	306(c)(1), (3)	Amendment; nonapplicability.
14	49:620	271	202(d)(6)(A)	378	89–97	308(d)(2)	Amendment.
14	49:620	271	202(d)(7), (10)	371, 397	89–97	306(b)(3), 323(a)	Addition.
14	49:620	271	202(d)(10)(B)	398	89–97	323(b)	Exception.
14	49:620	271	202(e)	380	89–97	309(a)	Do.
14	49:620	271	202(e)(1)	376	89–97	308(b)(1)	Revision.
14	49:620	271	202(e)(1)(B)	373	89–97	307(a)(1)	Amendment.
14	49:620	271	202(e)(2)	373, 404	89–97	307(a)(2), 333(a)(2)	Do.

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1935							
Aug. 14	49:620	271	202(e)(2)	376, 403	89–97	308(b)(1), 333(a)(1)	Revision; exception.
14	49:620	271	202(e)(3), (4)	377	89–97	308(b)(2), (3)	Par. (3) repealed; (4) redesignated as (3) and amended.
14	49:620	271	202(e)(3)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	202(e)(3)	372	89–97	306(c)(4)	Redesignated par. (3) amended.
14	49:620	271	202(e)(4)	403	89–97	333(a)	Addition.
14	49:620	271	202(f)(2)	372	89–97	306(c)(5)	Amendment.
14	49:620	271	202(f)(2)(B)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	202(f)(2)(C)	405	89–97	334(f)	Addition.
14	49:620	271	202(f)(3)	404	89–97	333(b)(1), (2)	Amendment; exception.
14	49:620	271	202(f)(4)	372, 373	89–97	306(c)(1), (6)	Amendment; nonapplicability.
14	49:620	271	202(f)(4)(A)	378	89–97	308(d)(2)	Amendment.
14	49:620	271	202(f)(5)	404	89–97	333(b)(1), (d)	Addition.
14	49:620	271	202(g)	378	89–97	308(d)(5)	Amendment.
14	49:620	271	202(g)(1)	373	89–97	306(c)(7)	Do.
14	49:620	271	202(g)(1)(A)	378	89–97	308(d)(3)	Do.
14	49:620	271	202(g)(1)(F)	378	89–97	308(d)(4)	Revision.
14	49:620	271	202(g)(3), (4)	379	89–97	308(d)(12), (13)	Par. (3) repealed; (4) redesignated as (3).
14	49:620	271	202(g)(3)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	202(g)(3)	373	89–97	306(c)(8)	Redesignated par. (3) amended.
14	49:620	271	202(h)(4)	372, 373	89–97	306(c)(1), (9)	Amendment; nonapplicability.
14	49:620	271	202(h)(4)(A)	378	89–97	308(d)(2)	Amendment.
14	49:620	271	202(j)(1)	367	89–97	303(d)	Do.
14	49:620	271	202(j)(2)	400	89–97	328(a)	Revision.
14	49:620	271	202(k)(2)(B)	404	89–97	333(c)(1)	Amendment.
14	49:620	271	202(k)(3)(A), (B)	404	89–97	333(c)(2), (d)	Existing text designated as (A); subpar. (B) added.
14	49:620	271	202(k)(4)	368	89–97	304(a)	Addition.
14	49:620	271	202(m)	380	89–97	309(a)	Exception.
14	49:620	271	202(p)	398	89–97	324(a)	Revision.
14	49:620	271	202(q)	368, 403, 404	89–97	304(b), 333(a)(1), (b)(1)	Amendment; exception.
14	49:620	271	202(q)(1)	374	89–97	307(b)(1)	Revision.
14	49:620	271	202(q)(2)–(8)	368	89–97	304(c)	Pars. (2)–(7) renumbered as (3)–(8); new (2) added.
14	49:620	271	202(q)(3)(A)	374	89–97	307(b)(2)	Redesignated par. (3) amended.
14	49:620	271	202(q)(3)(B)	369	89–97	304(d)	Do.
14	49:620	271	202(q)(3)(C)	369	89–97	304(e)	Redesignated par. (3) (C) revised.

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Aug. 14	49:620	271	202(q)(3)(D)	374	89–97	307(b)(3)	Redesignated par. (3) amended.
14	49:620	271	202(q)(3)(E)	374	89–97	307(b)(4)	Addition.
14	49:620	271	202(q)(3)(F), (G)	369	89–97	304(f)	Do.
14	49:620	271	202(q)(4)(A)	370	89–97	304(g)	Redesignated par. (4) amended.
14	49:620	271	202(q)(5)(D)	374	89–97	307(b)(5)	Addition.
14	49:620	271	202(q)(6)	375	89–97	307(b)(6)	Amendment.
14	49:620	271	202(q)(7)	375	89–97	307(b)(7)	Do.
14	49:620	271	202(q)(7)(D), (E)	375	89–97	307(b)(7)	Addition.
14	49:620	271	202(q)(7)(F)	370	89–97	304(h)	Do.
14	49:620	271	202(q)(8)	370	89–97	304(i)	Redesignated par. (8) amended.
14	49:620	271	202(q)(9)	375	89–97	307(b)(8)	Addition.
14	49:620	271	202(r)(2)	370	89–97	304(j)	Amendment.
14	49:620	271	202(s)	372	89–97	306(c)	Addition.
14	49:620	271	202(t)(9)	334	89–97	104(a)	Do.
14	49:620	271	202(u)	334	89–97	104(a)(2)	Amendment.
14	49:620	271	202(v)	392	89–97	319(d)	Addition.
14	49:620	271	203(a)(2), (3)	363	89–97	301(c)	Pars. (2), (3) deleted; new (2) added.
14	49:620	271	203(a)(3)	378	89–97	308(d)(6)	Addition.
14	49:620	271	203(c)	372, 373	89–97	306(c)(1), (10), (11)	Amendment; nonapplicability.
14	49:620	271	203(c)(4)	379	89–97	308(d)(7)	Amendment.
14	49:620	271	203(d)(1)	379	89–97	308(d)(8)	Do.
14	49:620	271	203(f)(1)	373, 380	89–97	306(c)(12), 310(a)(1)	Do.
14	49:620	271	203(f)(1)(C)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	203(f)(3)	380	89–97	310(a)(1), (2)	Amendment.
14	49:620	271	203(f)(4)(B)	380	89–97	310(a)(1)	Do.
14	49:620	271	203(f)(5)(B)	399	89–97	325(a)(1)	Revision.
14	49:620	271	203(f)(5)(D)	399	89–97	325(a)(2)	Addition.
14	49:620	271	203(h)(1)(A)	380	89–97	310(a)(3)	Amendment.
14	49:620	271	204(a)	401	89–97	329	Exception.
14	49:620	271	204(d)	401	89–97	329	Addition.
14	49:620	271	205	332	89–97	102(a)	Applicability.
14	49:620	271	205(b)	379	89–97	308(d)(9)	Amendment.
14	49:620	271	205(c)(1)(C)	379	89–97	308(d)(10)	Do.
14	49:620	271	205(c)(5)(F)	402	89–97	331(c)	Exception.
14	49:620	271	205(i)	403	89–97	332	Do.
14	49:620	271	205(n)	401	89–97	330	Revision.
14	49:620	271	206	332	89–97	102(a)	Applicability.
14	49:620	271	206(a), (b)	403	89–97	332	Existing text designated as (a), subsec. (b) added.
14	49:620	271	208	332	89–97	102(a)	Applicability.
14	49:620	271	209	382	89–97	313(a)	Amendment.
14	49:620	271	209(a)(3)	393	89–97	320(a)(1)	Do.
14	49:620	271	209(a)(4)	393	89–97	320(a)(1)	Addition.
14	49:620	271	209(l)	382	89–97	313(a)	Do.
14	49:620	271	210(a)(6)(C)(iv)	380	89–97	311(a)(3)	Amendment.
14	49:620	271	210(a)(7)(D)	388	89–97	317(a)	Addition; nonapplicability.

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1935							
Aug. 14	49:620	271	210(a)(13)	381	89–97	311(a)(4)	Amendment.
14	49:620	271	211(a)	381	89–97	312(a)	Do.
14	49:620	271	211(b)(1)(C)	393	89–97	320(a)(2)	Do.
14	49:620	271	211(b)(1)(D)	393	89–97	320(a)(2)	Addition.
14	49:620	271	211(c)	380	89–97	311(a)(2)	Amendment.
14	49:620	271	211(c)(1)	399	89–97	325(a)	Nonapplicability.
14	49:620	271	211(c)(4)	380, 399	89–97	311(a)(2), 325(a)	Do.
14	49:620	271	211(c)(5)	380, 399	89–97	311(a)(1), (2), 325(a)	Revision; nonapplicability.
14	49:620	271	211(c)(6)	391	89–97	319(b)	Addition.
14	49:620	271	213(a)(2)(ii), (iii)	393	89–97	320(a)(3)	Amendment.
14	49:620	271	214(a)(1), (3)	379	89–97	309(a)	Exceptions.
14	49:620	271	215	366	89–97	302(f)(6)	Exceptions to certain amendments.
14	49:620	271	215(a)	361, 364	89–97	301(a), (e)	Table revised; supplemental provision.
14	49:620	271	215(a)(4)	367, 370	89–97	303(e), 304(k)	Revision; amendment.
14	49:620	271	215(b)	364, 365	89–97	302(a)(3)	Applicability.
14	49:620	271	215(b)(2)(C)	364	89–97	302(a)(1)	Revision.
14	49:620	271	215(b)(3)(A)–(C)	364	89–97	302(a)(2)	Do.
14	49:620	271	215(b)(4), (5)	364	89–97	302(a)(3)	Do.
14	49:620	271	215(c)	363	89–97	301(b)	Revision; applicability.
14	49:620	271	215(d)(1)(A)	365	89–97	302(b)(1)	Amendment.
14	49:620	271	215(d)(3)	365	89–97	302(b)(2)	Do.
14	49:620	271	215(e)(1)	393	89–97	320(a)(4)	Do.
14	49:620	271	215(e)(3)	365	89–97	302(c)	Deletion.
14	49:620	271	215(f)(2)	365	89–97	302(d)(1)	Revision.
14	49:620	271	215(f)(3)–(7)	365	89–97	302(d)(2)	Pars. (3), (4), (7) repealed; (5), (6) redesignated as (3), (4).
14	49:620	271	215(f)(3)(B)	366	89–97	302(f)(3)	Applicability.
14	49:620	271	215(f)(4), (7)	366	89–97	302(f)(3), (4)	Do.
14	49:620	271	216(b)	373, 378	89–97	306(c)(13), 308(d)(2)	Amendment.
14	49:620	271	216(b)(3)(B)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	216(b)(3)(C)	404	89–97	334(a)	Addition.
14	49:620	271	216(c)	373, 378	89–97	306(c)(13), 308(d)(2)	Amendment.
14	49:620	271	216(c)(6)(B)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	216(c)(6)(C)	405	89–97	334(b)	Addition.
14	49:620	271	216(d)	377	89–97	308(c)	Revision.
14	49:620	271	216(f)	373	89–97	306(c)(13)	Amendment.

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1935							
Aug. 14	49:620	271	216(f)(3)(B)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	216(f)(3)(C)	405	89–97	334(c)	Addition.
14	49:620	271	216(g)	373	89–97	306(c)(13)	Amendment.
14	49:620	271	216(g)(6)(B)	372	89–97	306(c)(1)	Nonapplicability.
14	49:620	271	216(g)(6)(C)	405	89–97	334(d)	Addition.
14	49:620	271	216(h)(3)	409	89–97	339(a)	Do.
14	49:620	271	216(i)(1)(A)	366	89–97	303(a)	Amendment.
14	49:620	271	216(i)(2)	367, 370	89–97	303(b)(1), 304(l)	Revision; amendment.
14	49:620	271	216(i)(2)(F)	400	89–97	328(b)	Addition.
14	49:620	271	216(i)(3)	367, 412	89–97	303(b)(2), 344(a)	Amendment; partial revision.
14	49:620	271	216(j)	332	89–97	102(a)	Applicability.
14	49:620	271	217(g)	396	89–97	322	Revision.
14	49:620	271	218	409, 412	89–97	337, 338, 342	Supplemental provisions; exception.
14	49:620	271	218(d)(6)(C), (F)	385	89–97	314, 315	Amendment.
14	49:620	271	218(h)(1)	338	89–97	108(b)	Do.
14	49:620	271	222(b)(1)	373	89–97	306(c)(14)	Nonapplicability.
14	49:620	271	222(b)(3)	379	89–97	308(d)(11)	Amendment.
14	49:620	271	222(b)(4)	373	89–97	306(c)(14)	Addition.
14	49:620	271	222(d)	408	89–97	336	Do.
14	49:620	271	223(a)(1)	367, 413	89–97	303(b)(3), 344(c)	Amendment.
14	49:620	271	223(a)(1)(D)	367	89–97	303(b)(3)	Do.
14	49:620	271	223(a)(2)	366, 370	89–97	302(e)(1), (2), 304(m)	Do.
14	49:620	271	223(a)(3)	370	89–97	304(n), (o)	Repeal.
14	49:620	271	223(b)	367, 400	89–97	303(c), 328(c)	Amendment; partial revision.
14	49:620	271	223(c)(1)(B)	413	89–97	344(b), (e)	Subpar. (B) deleted; new (B) added.
14	49:620	271	223(c)(2)	367	89–97	303(a)(2)	Partial revision.
14	49:620	271	223(c)(2)(B)	413	89–97	344(d)	Addition.
14	49:620	271	223(c)(3)(A)	367	89–97	303(b)(4)	Amendment.
14	49:620	271	224	406	89–97	335	Addition.
14	49:620	271	225	373	89–97	306(c)(15)	Amendment; nonapplicability.
14	49:620	271	226, 227	290, 379	89–97	101, 309(a)	Addition.
14	49:620	271	402(a)(7)	421	89–97	406	Exception.
14	49:620	271	402(a)(7)(A), (B)	423	89–97	410	Part of existing text designated as (B); (A) added.
14	49:620	271	402(a)(7)(C)	418	89–97	403(b)	Addition.
14	49:620	271	403(a)(1)	353	89–97	122	Amendment.
14	49:620	271	403(a)(1)(A), (B)	415	89–97	401(c)	Do.
14	49:620	271	403(a)(2)	353	89–97	122	Do.
14	49:620	271	406(a)(2)(B)	422	89–97	409	Do.
14	49:620	271	501	353	89–97	201(a)	Do.
14	49:620	271	502(b)	605	89–156	----------	Supplemental provision.
14	49:620	271	503(a)(8)	354	89–97	204(a)	Addition.

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Aug. 14	49:620	271	504 (a)-(c)	353	89-97	201(b)	Exception.
14	49:620	271	504(d)	353	89-97	201(b)	Addition.
14	49:620	271	511	353	89-97	202(a)	Amendment.
14	49:620	271	512(b)	605	89-156	----------	Supplemental provision.
14	49:620	271	513(a)(7)	354	89-97	204(b)	Addition.
14	49:620	271	514 (a)-(c)	353	89-97	202(b)	Exception.
14	49:620	271	514(c)	354	89-97	203(b)	Amendment.
14	49:620	271	514(d)	353	89-97	202(b)	Addition.
14	49:620	271	516	353	89-97	203(a)	Do.
14	49:620	271	521	355	89-97	207	Amendment.
14	49:620	271	522	355	89-97	208(b)	Revision.
14	49:620	271	523(a)(1)(B)(v)	356	89-97	208(c)	Addition.
14	49:620	271	527	355	89-97	208(a)	Deletion.
14	49:620	271	532, 533	354	89-97	205	Sec. 532 redesignated as 533; new 532 added.
14	49:620	271	706	339	89-97	109(a)	Addition.
14	49:620	271	1002(a)(8)	421	89-97	406	Exception.
14	49:620	271	1002(a)(8)(C)	418	89-97	403(c)	Addition.
14	49:620	271	1003(a)(1)	353	89-97	122	Amendment.
14	49:620	271	1003(a)(1)(A), (B)	415	89-97	401(d)	Do.
14	49:620	271	1003(a)(2)	353	89-97	122	Do.
14	49:620	271	1006	358, 416	89-97	221(b), 402(c)	Do.
14	49:620	271	1101(a)(1)	352	89-97	121(c)(1)	Do.
14	49:620	271	1106(a)	411	89-97	340	Applicability.
14	49:620	271	1106(b)	339, 411	89-97	108(c), 340	Amendment; applicability.
14	49:620	271	1106(c)	411	89-97	340	Addition.
14	49:620	271	1108	355, 422	89-97	208(a), 408(a)	Amendment.
14	49:620	271	1109	352	89-97	121(c)(2)	Revision.
14	49:620	271	1112	422	89-97	408(c)	Amendment.
14	49:620	271	1115	352	89-97	121(c)(3)	Do.
14	49:620	271	1116-1118	419, 423	89-97	404, 405, 411	Addition.
14	49:620	271	1402(a)(8)	418, 421	89-97	403(d), 406	Amendment; exception.
14	49:620	271	1403(a)(1)	353	89-97	122	Amendment.
14	49:620	271	1403(a)(1)(A), (B)	415	89-97	401(e)	Do.
14	49:620	271	1403(a)(2)	353	89-97	122	Do.
14	49:620	271	1405	358, 417	89-97	221(c), 402(d)	Do.
14	49:620	271	1602(a)(13)	421	89-97	406	Exception.
14	49:620	271	1602(a)(14)	418, 419, 421	89-97	403(e), 406	Revision; exception.
14	49:620	271	1602(a) (16), (17)	358	89-97	221(d)(3)	Addition.
14	49:620	271	1603 (a)-(c)	359	89-97	221(d)(4)	Exception.
14	49:620	271	1603(a)(1)	353, 414	89-97	122, 401(b)	Amendment.
14	49:620	271	1603(a)(1)(A)	414	89-97	401(b)	Do.
14	49:620	271	1603(a)(1)(B),(C)	414	89-97	401(b)	Clauses (B), (C) deleted; new (B) added.
14	49:620	271	1603(a)(2)	353	89-97	122	Amendment.
14	49:620	271	1603(d)	359	89-97	221(d)(4)	Addition.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1935							
Aug. 14	49:620	271	1605(a)	358, 416	89–97	221(d)(1), 402(b)	Revision; amendment.
14	49:620	271	1605(b)	358, 360	89–97	221(d)(2), 222(b)	Amendment.
14	49:620	271	1701, 1702	356	89–97	211(a), (b)	Do.
14	49:620	271	1801–1875	291, 324, 325	89–97	102	Addition; exception.
14	49:620	271	1831–1844	303, 335	89–97	102(a), 104 (b)(2)	Exception; restriction.
14	49:620	271	1861(e)	315	89–97	102(a)	Exception.
14	49:620	271	1874(a)	340	89–97	111(a)	Amendment.
14	49:620	271	1901–1905	343	89–97	121	Addition.
14	49:620	271	1902(a)(5), (b)	348	89–97	121(a)	Exception.
14	49:620	271	1903(a)	349	89–97	121(a)	Do.
21	49:666	292	----------	426	89–102	2	Applicability.
21	49:666	292	2(h)	971	89–249	8	Amendment.
24	49:750	320	32	1171	89–316	----------	Restriction.
27	49:887	352	----------	285	89–94	----------	Provisions extended.
29	49:967	399	----------	335, 341	89–97	105(a)(2), 111(b)(1)	Provision subsequent to revision.
30	49:1028	409	1	135	89–42	2	Supplemental provision.
1936							
June 22	49:1570	738	3	1074	89–298	202	Applicability.
22	49:1570	738	5	134	89–42	1(a)	Supplemental provision.
22	49:1570	738	5	1079	89–298	204	Do.
29	49:1985	835	212(B)(c)	211	89–66	----------	Amendment.
29	49:1985	835	502(b)	519	89–127	----------	Do.
29	49:1985	835	505(b)	1310	89–348	1(8)	Partial repeal.
29	49:1985	835	510(i)	980	89–254	1(a)	Amendment.
29	49:1985	835	510(i)(1)	980	89–254	1(b)	Revision.
29	49:1985	835	510(i)(2)	980	89–254	1(c)	Amendment.
29	49:1985	835	510 (i)(9)	980	89–254	1(d)	Revision.
29	49:1985	835	510(j)	980	89–254	2	Addition.
29	49:1985	835	605(b)	1310	89–348	1(9)	Partial repeal.
29	49:1985	835	1211	1310	89–348	1(7)	Do.
29	49:1985	835	1214	264	89–89	----------	Amendment.
30	49:2036	846	4, 5	1035	89–286	4(a)	Applicability.
1937							
June 24	50:307	162	1	312	89–97	102(a)	Exception.
24	50:307	162	1, "Sec. 1 (h) (1)–(3)"	860	89–212	2(f)(1)	Existing text designated as (1) and amended; pars. (2), (3) added.
24	50:307	162	1, "Sec. 1(q)"	400	89–97	326(a)	Amendment.
24	50:307	162	1, "Sec. 2 (e)"	858	89–212	1	Do.
24	50:307	162	1, "Sec. 3 (a), (c)"	860	89–212	3(a), (b)	Do.
24	50:307	162	1, "Sec. 5 (f) (2)"	860	89–212	3(c)	Do.
24	50:307	162	1, "Sec. 5 (k) (2) (A)–(E)"	341	89–97	111(b)(2)	Subpars. (A), (B) deleted; (C)–(E) redesignated as (A)–(C).

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Provisions affected				Amendatory provisions			
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1937							
June 24	50:307	162	1, "Sec. 5 (k) (2) (A)"	342	89–97	111(b)(2)	Redesignated subpar. (A) amended.
24	50:307	162	1, "Sec. 5 (k) (2) (A) (i)"	341	89–97	111(b)(2)	Do.
24	50:307	162	1, "Sec. 5 (k) (2) (A) (iii)"	341	89–97	111(b)(2)	Addition.
24	50:307	162	1, "Sec. 5 (k) (2) (B)"	342	89–97	111(b)(2)	Redesignated subpar. (B) amended.
24	50:307	162	1, "Sec. 5 (k) (2) (C)"	342	89–97	111(b)(2)	Redesignated subpar. (C) revised.
24	50:307	162	1, "Sec. 5 (l) (9)"	400	89–97	326(b)	Amendment.
24	50:307	162	1, "Sec. 5 (l) (9)"	860, 861	89–212	3(d)	Do.
24	50:307	162	1, "Sec. 5 (l) (10)"	861	89–212	3(e)	Do.
24	50:307	162	1, "Sec. 21"	335, 340	89–97	105(a), 111(b)	Addition; revision.
28	50:325	169	11	902	89–233	----------	Addition.
Sept. 1	50:888	412	----------	481, 488	89–117	315(b)(1), 507(a)	Exception.
1	50:888	412	2(1)	457	89–117	103(b)	Amendment.
1	50:888	412	2(2)	457	89–117	104	Revision.
1	50:888	412	10 (a), (c)	486, 487	89–117	501, 502	Amendment.
1	50:888	412	10(e)	456, 487	89–117	103(a), 503, 504	Nonapplicability; amendment.
1	50:888	412	10(h)	456, 488	89–117	103(a), 507(b)(1)	Do.
1	50:888	412	10(l)	488	89–117	507(b)(2)	Amendment.
1	50:888	412	12(c)	487	89–117	505	Do.
1	50:888	412	15(1)–(3)	488	89–117	507(b)(3)	Do.
1	50:888	412	15(5)	487	89–117	506	Do.
1	50:888	412	15(7)	456	89–117	103(a)	Nonapplicability.
1	50:888	412	15(8)	486	89–117	404(c)(2)	Amendment.
1	50:888	412	15(9)	488	89–117	507(a)	Addition.
1	50:888	412	22 (a)(1)	489	89–117	507(b)(4)	Amendment.
1	50:888	412	23, 24	455	89–117	103(a)	Sec. 23 redesignated as 24; new 23 added.
1	50:888	412	23	455	89–117	103(a)	Nonapplicability.
2	50:917	415	----------	14	89–4	205(a)(3)	Exception.
1938							
Feb. 16	52:31	430	----------	1192, 1199, 1206	89–321	401(2), 501(1), 516, 517	Do.
16	52:31	430	301(b)(8)(A), (B)	1204	89–321	509(1)	Existing text designated as (A); subpar. (B) added.
16	52:31	430	301(b)(9)	1205	89–321	511(a)	Amendment.
16	52:31	430	301(b)(13)(J), (K)	1205	89–321	509(2)	Addition.
16	52:31	430	301(b)(13)(L), (M)	1197	89–321	403	Do.
16	52:31	430	313(g)	70	89–12	1	Partial applicability.

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Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1938							
Feb. 16	52:31	430	313(j)	72	89–12	2	Amendment (sec. relating to old farm tobacco allotments).
16	52:31	430	314	71	89–12	1	Applicability; exception.
16	52:31	430	314(a)	71	89–12	1	Amendments; applicability.
16	52:31	430	316(a)	1210	89–321	703	Amendment.
16	52:31	430	316(c)	1210	89–321	703	Exception.
16	52:31	430	316(g)	118	89–29	----------	Amendment.
16	52:31	430	317	66, 71	89–12	1	Addition; exception.
16	52:31	430	317(a)(8)	71	89–12	1	Applicability.
16	52:31	430	317(f)	1210	89–321	703	Exception.
16	52:31	430	317(h)	72	89–12	1	Do.
16	52:31	430	332 (b) (iv)	1199	89–321	501(1)	Revision.
16	52:31	430	332(d)	1199	89–321	501(1)	Addition.
16	52:31	430	333	1199	89–321	501(2)	Revision.
16	52:31	430	334(a), (b)	1199, 1200	89–321	501(3), (4)	Do.
16	52:31	430	334(c)	1200	89–321	501(5)	Exception.
16	52:31	430	334(c)(1)	1200	89–321	501(5)	Do.
16	52:31	430	334(c)(3), (4)	1200	89–321	501(5)	Addition.
16	52:31	430	334(d)	1201	89–321	501(6)	Repeal.
16	52:31	430	334(g)	1201	89–321	501(7)	Amendment.
16	52:31	430	335	1201	89–321	501(8)	Amendment; nonapplicability.
16	52:31	430	336	258	89–82	----------	Amendment; exception.
16	52:31	430	339(a)(1)	1203	89–321	505(1)	Amendment extended.
16	52:31	430	339(a)(1)	1204	89–321	507	Amendment.
16	52:31	430	339(b)	1201	89–321	501(9)	Do.
16	52:31	430	339(e)	1201	89–321	501(10)	Revision.
16	52:31	430	344a	1197, 1199	89–321	405	Addition; applicability.
16	52:31	430	346(e)	1192	89–321	401(2)	Addition.
16	52:31	430	348	1192	89–321	401(1)	Amendment.
16	52:31	430	350	1193	89–321	401(3)	Revision.
16	52:31	430	353(c)(7)	1212	89–321	801	Addition; exception.
16	52:31	430	359(c)	1210	89–321	704	Amendment extended.
16	52:31	430	374(a)	1210	89–321	701	Revision.
16	52:31	430	374(c)	1210	89–321	702	Amendment.
16	52:31	430	379	1211	89–321	707	Addition.
16	52:31	430	379b	1202	89–321	502, 503	Revision; amendment.
16	52:31	430	379c(a)	447	89–112	3	Amendment.
16	52:31	430	379c(a)	1204, 1205	89–321	508, 513(b)	Do.
16	52:31	430	379c(b)	1203	89–321	505(2)	Amendment extended.
16	52:31	430	379c(b)	1205, 1206	89–321	510(a), 517	Amendment.
16	52:31	430	379c(c)	1206	89–321	513(c)	Do.
16	52:31	430	379c(e)	1206	89–321	515	Addition.
16	52:31	430	379d(b)	1202, 1203, 1205	89–321	504(a), (c), 513(a)	Amendment.
16	52:31	430	379d(d)	1202	89–321	504(b)	Do.
16	52:31	430	379e	1206	89–321	516	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1938							
Feb. 16	52:31	430	379g(a), (b)	1203	89–321	504(d)	Existing text designated as (a); subsec. (b) added.
16	52:31	430	379i(a), (b)	1205	89–321	510(b)	Amendment.
June 8	52:625	582	----------	779	89–183	2, 4	Commission continued; savings provision.
25	52:1040	717	201(g)(1)(A)–(D)	234	89–74	9(b)	Existing text designated as (1); clauses (1)–(4) redesignated as (A)–(D).
25	52:1040	717	201(g)(2)	235	89–74	9(b)	Addition.
25	52:1040	717	201(v)	227	89–74	3(a)	Do.
25	52:1040	717	301(i)(1)–(3)	235	89–74	9(c)	Existing text designated as (1); pars. (2), (3) added.
25	52:1040	717	301(q)	232	89–74	5	Addition.
25	52:1040	717	303(a), (b)	233	89–74	7(a), (b)	Amendment.
25	52:1040	717	303(c)(5)	235	89–74	9(d)	Addition.
25	52:1040	717	304(a)(1)(A), (B)	232	89–74	6(a)	Existing text designated as (1); clauses (1), (2) redesignated as (A), (B).
25	52:1040	717	304(a)(2)	232	89–74	6(a)	Addition.
25	52:1040	717	304(b)	233	89–74	6(b)(1)	Amendment.
25	52:1040	717	304(d)(1)	233	89–74	6(b)(2)	Applicability.
25	52:1040	717	304(d)(1)(A), (B)	233	89–74	6(b)(2)	Existing text designated as (1); clauses (1), (2) redesignated (A), (B).
25	52:1040	717	304(d)(2), (3)	233	89–74	6(b)(2)	Addition.
25	52:1040	717	510	232	89–74	4(e)	Heading amended.
25	52:1040	717	510(a)(2), (3)	231	89–74	4(a)	Par. (2) redesignated as (3); new (2) added.
25	52:1040	717	510(b), (c)	231	89–74	4(b), (c)	Amendment.
25	52:1040	717	510(d)(1), (2)	232	89–74	4(d)	Existing text designated as (1) and amended; par. (2) added.
25	52:1040	717	511	227	89–74	3(b)	Addition.
25	52:1040	717	511(d)(1), (2)	230	89–74	3(b)	Nonapplicability.
25	52:1040	717	701(e)–(g)	227	89–74	3(a)	Applicability.
25	52:1040	717	702(e)	234	89–74	8(a)	Addition.
28	52:1215	761	4	134	89–42	1(a)	Supplemental provision.
30	52:1250	785	----------	788	89–184	----------	Exception.
30	52:1250	785	10	788	89–184	----------	Addition.
1939							
July 15	53:1004	176	1	785	89–183	8	Partial repeal, with exception.
Aug. 2	53:1147	252	9	440	89–110	6	Applicability.
4	53:1187	260	9(c)	1068	89–292	3(c)	Exception.
9	53:1293	359	----------	779	89–183	4	Savings provision.
11	53:1411	393	2(f)	1311	89–348	1(13)	Repeal.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1940							
Mar. 4	54:41	424	----------	446	89–111	----------	Land addition.
June 12	54:307	602	1	785	89–183	8	Partial repeal, with exception.
July 2	54:724	711	4(g), 7	1012	89–280	1, 2	Revision.
Oct. 9	54:1061	820	----------	173	89–50	2	Exception.
9	54:1061	820	----------	790	89–185	4	Do.
10	54:1091	830	----------	264	89–87	----------	Amendment.
1941							
Mar. 11	55:31	11	5(b)	1311	89–348	1(19)	Repeal.
Apr. 11	55:133	33	----------	113	89–23	7	Do.
May 26	55:203	74	1(1)	1205	89–321	511(b)	Amendment.
Aug. 18	55:638	228	3	135	89–42	3	Supplemental provision.
Sept. 20	55:687	250	601(e)	1026	89–283	601	Revision.
1942							
Mar. 7	56:143	490	12	992	89–271	----------	Amendment.
June 22	56:377	623	----------	1294	89–335	----------	(Revised. See 1942, P.L. 829.)
Dec. 18	56:1064	815	3	256	89–81	203(a)	Amendment.
22	56:1074	829	----------	1294	89–335	----------	Exception.
1943							
July 12	57:392	129	1	432	89–106	7	Amendment.
1944							
June 17	58:279	342	2(c)	1103	89–299	----------	Exception.
27	58:387	359	----------	243	89–77	2	Do.
27	58:387	359	----------	1156	89–311	5	Applicability.
28	58:509	371	6	242	89–75	12	Exception.
July 1	58:682	410	1	930	89–239	3(a)	Revision.
1	58:682	410	301(h), (i)	448	89–115	3	Subsec. (h) redesignated as (i); new (h) added.
1	58:682	410	310	436	89–109	3(a)	Amendment.
1	58:682	410	310(1)(ii)	436	89–109	3(b)	Do.
1	58:682	410	314(c)	436	89–109	4	Do.
1	58:682	410	316(a)	437	89–109	5	Do.
1	58:682	410	317(a)–(c)	435, 436	89–109	2(a)–(d)	Do.
1	58:682	410	317(c)(1)	436	89–109	2(e)	Do.
1	58:682	410	373(d)	1067	89–291	4	Do.
1	58:682	410	378	1067	89–291	3	Addition.
1	58:682	410	390–399b	1059	89–291	2	Do.
1	58:682	410	600–625	11	89–4	202(a)	Exception.
1	58:682	410	704	448	89–115	2(a)	Amendment.
1	58:682	410	705(a)	448	89–115	2(b)	Do.
1	58:682	410	720	1056	89–290	3(a)	Revision.
1	58:682	410	721(a)	1056	89–290	3(b)	Do.
1	58:682	410	721(b)(1)(B)	1058	89–290	5(a)	Amendment.
1	58:682	410	721(c)(2)(D)	1057	89–290	3(c)	Do.
1	58:682	410	724	1056	89–290	2(b)	Do.
1	58:682	410	740(a)	1056, 1058	89–290	2(b), 4(f)(1)	Do.
1	58:682	410	740(b)(4)	1057, 1058	89–290	4(a), (f)(2)	Do.
1	58:682	410	741(a)–(c)	1057, 1058	89–290	4(b)(1), (f)(3), (4)	Do.

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Provisions affected				Amendatory provisions			
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1944							
July 1	58:682	410	741(e)	1058	89–290	4(g)(1)	Amendment; exception.
1	58:682	410	741(f)–(i)	1057	89–290	4(b)(2)	Subsecs. (f)–(h) redesignated as (g)–(i); new (f) added.
1	58:682	410	742(a)	1057	89–290	4(c)	Amendment.
1	58:682	410	743	1057	89–290	4(d)	Do.
1	58:682	410	744	1057	89–290	4(e)	Do.
1	58:682	410	761–766	11	89–4	202(a)	Exception.
1	58:682	410	770–774	1052	89–290	2(a)	Addition.
1	58:682	410	771(b)	1052	89–290	2(a)	Waiver.
1	58:682	410	780	1055	89–290	2(a)	Addition.
1	58:682	410	823(b)(5)	1058	89–290	4(g)(2)	Amendment; exception.
1	58:682	410	843(f)	1058	89–290	5(b)	Amendment.
1	58:682	410	900–909	926–931	89–239	2, 3(b)	Addition. (Former secs. 901–914 renumbered as 1001–1014.)
1	58:682	410	1001–1014	931	89–239	3(b)	Former secs. 901–914 renumbered as 1001–1014.
Oct. 3	58:785	458	501	509	89–117	1112	Supplemental provision.
Dec. 20	58:819	506	1(b)	1309	89–347	9(b), 11	Applicability.
22	58:887	534	1	1074	89–298	203	Do.
22	58:887	534	10	1082	89–298	204	Project modification.
23	58:921	554	----------	549	89–134	2(d)	(Revised. See 1953, P.L. 61.)
1945							
Mar. 2	59:10	14	1	1089	89–298	301	Applicability.
2	59:10	14	2	134	89–42	1(a)	Supplemental provision.
Apr. 28	59:100	46	----------	785	89–183	8	Repeal, with exception.
May 29	59:225	67	1(a)	790	89–185	4	Provision subsequent to repeal.
June 13	59:238	85	----------	268	89–90	----------	Supplemental provisions.
30	59:271	103	----------	239	89–75	----------	Exception.
30	59:295	106	----------	243	89–77	2	Do.
30	59:295	106	204	1123	89–301	16	Amendment.
30	59:295	106	501, 502	1120, 1121	89–301	11(a), (i)	Compensation rates, increase; exception.
July 31	59:512	171	4(b)(5), (6)	519	89–126	1(1)	Deletion; new pars. (5), (6) added.
31	59:512	171	5	519	89–126	1(2)	Amendment.
31	59:512	171	20	119	89–31	----------	Addition.
31	59:512	171	21	519	89–126	1(3)	Do.
31	59:526	173	9	1312	89–348	2(9)	Amendment.
Dec. 6	59:597	248	----------	1047, 1048	89–287	14(b)	Applicability.
6	59:597	248	----------	1247	89–329	432(b)	Do.
6	59:597	248	104	180	89–52	----------	Exception.
6	59:597	248	104	539	89–128	----------	Do.
6	59:597	248	104	644	89–164	----------	Do.
6	59:597	248	104	1008	89–273	----------	Do.
6	59:597	248	104	1099, 1107	89–299	----------	Do.
6	59:597	248	104	1177	89–316	----------	Do.
20	59:619	264	2 (a), (b), (d)	841, 842	89–206	1(a), (b)	Revision.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1945							
Dec. 20	59:619	264	2 (e)–(g)	842	89–206	2	Subsecs. (e), (f) redesignated as (f), (g); new (e) added.
1946							
Feb. 20	60:23	304	3	3	89–1	1(b)	Exception.
Mar. 8	60:41	321	13	1312	89–348	2(1)	Amendment.
23	60:59	333	----------	548	89–132	7(1)	Continuation provision.
May 24	60:216	390	5	1120, 1121	89–301	11(a), (i)	Compensation rates, increase; exception. (See also 1945, P.L. 106, secs. 501, 502.)
June 11	60:237	404	----------	185	89–52	----------	Exception.
11	60:237	404	4	1277	89–331	6	Applicability.
July 1	60:386	479	----------	268	89–90	----------	Amendment; supplemental provision.
5	60:427	489	31	260, 261	89–83	3, 7(a), (d)	Revision.
23	60:596	520	----------	26	89–9	2	Exception.
23	60:596	520	"Sec. 3"	26	89–9	1	Do.
23	60:596	520	"Sec. 3"	647	89–168	----------	Do.
23	60:596	520	"Sec. 3"	967	89–245	----------	Do.
23	60:596	520	"Sec. 3"	968	89–246	----------	Do.
23	60:596	520	"Sec. 3"	968	89–247	----------	Do.
23	60:596	520	"Sec. 3"	972	89–251	----------	Do.
23	60:596	520	"Sec. 3"	972	89–252	----------	Do.
23	60:596	520	"Sec. 3"	1011	89–279	----------	Do.
23	60:596	520	"Sec. 3"	1153	89–310	----------	Do.
23	60:596	520	"Sec. 3"	1213	89–322	----------	Do.
23	60:596	520	"Sec. 3"	1213	89–323	----------	Do.
24	60:634	525	1	1078	89–298	204	Project modification.
30	60:712	565	5	1311	89–348	1(21)	Partial repeal.
Aug. 1	60:775	586	----------	1224	89–329	110	Exception.
2	60:790	592	20(i)	484	89–117	317	Amendment.
2	60:812	601	601(a)	1120	89–301	11(e)	Revision.
13	60:999	724	----------	1129–1132	89–308	----------	Annuity adjustments.
13	60:999	724	412	1118	89–301	8(a)	Partial revision.
13	60:999	724	415(a)	1118	89–301	8(b)	Do.
13	60:999	724	701	615	89–160	----------	Exception.
13	60:999	724	821(b)	1131	89–308	9(1)	Revision.
13	60:999	724	832(b)	1131	89–308	9(2)	Amendment.
13	60:999	724	862	1312	89–348	1(22)	Repeal.
13	60:999	724	882	1131	89–308	9(3)	Addition.
13	60:1056	727	----------	1095	89–298	310(b), (c)	(Revised. See 1956, P.L. 826.)
14	60:1080	732	"Sec. 2(d)"	216	89–72	6(b)	Amendment; partial repeal.
1947							
July 16	61:328	195 (art. I)	----------	749	89–183	1	Exception.
16	61:328	195 (art. I, title XII)	11(c)(3)	242	89–75	14	Do.
Aug. 7	61:913	382	----------	1299	89–336	6	Applicability.
8	61:922	388	----------	1272	89–331	3(4)	Exception.
8	61:922	388	201	1271	89–331	2	Amendment.
8	61:922	388	202	1274	89–331	3(4)	Exceptions.
8	61:922	388	202(a)(1), (2)(A)	1271	89–331	3(1)	Revision.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1947							
Aug. 8	61:922	388	202(b)–(f)	1271, 1272	89–331	3(2)–(4)	Revision.
8	61:922	388	202(g), (h)	1274	89–331	3(4)	Addition.
8	61:922	388	204	1275	89–331	4	Revision.
8	61:922	388	204(a)	1276	89–331	4	Exception.
8	61:922	388	205(a)	1276	89–331	5	Amendment.
8	61:922	388	206	1277	89–331	6	Revision.
8	61:922	388	207(d), (e)	1277	89–331	7	Do.
8	61:922	388	209(e)	1278	89–331	8	Amendment
8	61:922	388	212	1278	89–331	9(a)	Do.
8	61:922	388	213	1278	89–331	10	Repeal.
8	61:922	388	302(b)(1)	1278	89–331	11(1)	Revision.
8	61:922	388	302(b)(3), (5)	1278, 1279	89–331	11(2), (3)	Amendment.
8	61:922	388	302(b)(8), (9)	1279	89–331	11(4)	Addition.
8	61:922	388	402(b)	1279	89–331	12(1)	Amendment.
8	61:922	388	408(a), (b)	1279, 1280	89–331	12(2), (3)	Do.
8	61:922	388	408(c)	1280	89–331	12(4)	Revision.
8	61:922	388	412	1280	89–331	12(5)	Amendment.
1948							
Jan. 28	62:15	403	3(a)	281	89–91	----------	Revision.
Mar. 19	62:83	449	----------	1299	89–336	8	Supplemental provision.
June 19	62:487	677	2	785	89–183	8	Repeal, with exception.
19	62:498	699	2(a)(6)	1015	89–282	2	Repeal.
24	62:604	759	12(b)(3)	586	89–152	----------	Revision.
26	62:1052	791	----------	548	89–132	7(2)	Continuation provision.
29	62:1070	806	----------	431	89–106	1	Exception.
30	62:1171	858	107	1094	89–298	306	Amendment.
30	62:1171	858	203	134	89–42	1(a)	Supplemental provision.
30	62:1171	858	203	1076	89–298	204	Project modification.
July 3	62:1240	896	9	1312	89–348	2(6)	Amendment.
1949							
Feb. 26	63:7	11	2(1)–(4)	209	89–63	3(a)	Existing pars. designated as (1)–(3); new (4) added.
26	63:7	11	2(1)(A)–(C)	209	89–63	3(a)	Former clauses (a)–(c) redesignated as (A)–(C) of par. 1.
26	63:7	11	3(a)	210	89–63	4(a), (d)	Amendment.
26	63:7	11	3(c)	210	89–63	3(b)	Do.
26	63:7	11	4(a)	210	89–63	4(b)	Do.
26	63:7	11	5(b)	210	89–63	4(c)	Do.
26	63:7	11	5(c)–(g)	209	89–63	2	Addition.
26	63:7	11	12	209	89–63	1	Amendment.
May 24	63:76	71	----------	268	89–90	----------	Supplemental provision.
June 9	63:166	92	----------	643	89–164	----------	Exception.
20	63:203	109	5(b)	135	89–43	----------	Amendment.
23	63:264	121	2(b)(1)	544	89–131	----------	Do.

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Provisions affected				Amendatory provisions			
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1949							
June 24	63:267	124	1, 2	785	89–183	8	Repeal, with exception.
24	63:268	125	1–7	785	89–183	8	Do.
24	63:268	126	----------	785	89–183	8	Do.
24	63:269	127	----------	785	89–183	8	Do.
30	63:377	152	----------	818	89–188	607(b)	Exception.
30	63:377	152	----------	1128	89–306	----------	Nonapplicability.
30	63:377	152	111	1127	89–306	----------	Addition.
30	63:377	152	201(a)	1128	89–306	----------	Nonapplicability.
30	63:377	152	203(o)	1312	89–348	2(4)	Amendment.
30	63:377	152	210(a)(14)	1010	89–276	----------	Addition.
30	63:377	152	210(i)	1304	89–344	----------	Do.
30	63:377	152	301–310	1303	89–343	1	Nonapplicability.
30	63:377	152	302(a)	1303	89–343	1	Revision.
30	63:377	152	302(c)	1303	89–343	5	Exception.
30	63:377	152	302(c)(11)	1310	89–348	1(2)	Partial repeal.
30	63:377	152	302(c)(15)	1303	89–343	2	Revision.
30	63:377	152	303	1303	89–343	5	Exception.
30	63:377	152	304	1303	89–343	2	Applicability.
30	63:377	152	307(a), (b)	1303	89–343	3, 4	Amendment.
30	63:377	152	310	1303	89–343	5	Revision.
30	63:377	152	507(f)(1)	648	89–169	----------	Exception.
30	63:377	152	602(d)	1128	89–306	----------	Nonapplicability.
30	63:377	152	602(d)(15)	1303	89–343	6(a)	Amendment.
30	63:377	152	602(d)(20)	1304	89–343	6(d)	Addition.
July 11	63:409	162	----------	1294	89–333	14	Amendment.
15	63:413	171	----------	482	89-117	315(c)	Exception.
15	63:413	171	----------	818	89–188	607(b)	Do.
15	63:413	171	100–114	458, 477, 480	89–117	106(b), 310(b), 314(b)	Supplemental provision.
15	63:413	171	100–117	457, 476–478, 481	89–117	106(a), 306, 311(a), 315(b)(1)	Exception.
15	63:413	171	101(c)	457, 474	89–117	103(a), 302(b)	Nonapplicability; amendment.
15	63:413	171	101(c)	670	89–174	7(d)	Partial repeal.
15	63:413	171	101(c)(i), (ii)	453	89–117	101(f)	Part of existing text designated as (i); clause (ii) added.
15	63:413	171	101(c)(iii)	476	89–117	305(b)	Amendment.
15	63:413	171	101(e)	474	89–117	302(a)	Addition.
15	63:413	171	102(d)	475	89–117	303(1)	Amendment.
15	63:413	171	102(d)(1)	475	89–117	303(2)	Deletion; new par. (1) added.
15	63:413	171	103(a)(2)(B)	479	89–117	313	Revision.
15	63:413	171	103(b)	475	89–117	304	Amendment; partial repeal.
15	63:413	171	105(c)	475	89–117	305(a), (c)	Revision.
15	63:413	171	106(h)	476	89–117	306	Addition.
15	63:413	171	110(c)	476–478	89–117	307, 308, 309(a)(4), 311(b)(1)	Amendment.
15	63:413	171	110(c)(5)	478	89–117	311(b)(2)	Do.
15	63:413	171	110(c)(9)	477	89–117	309(a)	Addition.
15	63:413	171	110(d)	479	89–117	314(a)	Amendment.
15	63:413	171	110(e)(i)	477	89–117	309(b), 310(a), (b)	Do.
15	63:413	171	112(a)	481	89–117	315(a)(9)	Exception.
15	63:413	171	113(c)	481	89–117	315(a)(10)	Applicability.
15	63:413	171	114(b)(2)	486	89–117	404(b)	Amendment.
15	63:413	171	114(c)(2)	453	89–117	101(i)	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1949							
July 15	63:413	171	114(d), (e)	486	89–117	404(c)(1)	Subsec. (d) redesignated as (e); new (d) added.
15	63:413	171	115–117	457, 477	89–117	106(a), 311(a)	Addition.
15	63:413	171	501(a)(1), (c)(1)	497	89–117	1001(a), (b)	Amendment.
15	63:413	171	502(a)	497	89–117	1002	Do.
15	63:413	171	506(a)	501	89–117	1005(d)	Do.
15	63:413	171	506(e)	1310	89–348	1(5)	Partial repeal.
15	63:413	171	511, 512	500, 501	89–117	1003(b)(1)–(3), 1005(a)	Amendment.
15	63:413	171	513(b)–(d)	501	89–117	1005(b)	Do.
15	63:413	171	515(b)(5)	501	89–117	1005(c)	Do.
15	63:413	171	517–520	498–502	89–117	1003(a), 1006, 1007	Addition.
15	63:413	171	601	503	89–117	1106	Amendment.
Aug. 2	63:491	201	8	785	89–183	8	Repeal, with exception.
Oct. 7	63:724	335	----------	1104	89–299	----------	Exception.
11	63:759	346	1–8	785	89–183	8	Repeal, with exception.
13	63:841	352	----------	509	89–117	1112	Supplemental provision.
25	63:889	373	----------	785	89–183	8	Repeal, with exception.
28	63:954	429	----------	243	89–77	2	Exception.
28	63:954	429	----------	637, 638	89–164	----------	Do.
28	63:954	429	----------	792	89–187	3	Do.
28	63:954	429	----------	1027	89–284	3(b)(1), (2)	Do.
28	63:954	429	603(b)	1111	89–301	2(a)	Revision.
28	63:954	429	701(c)	1112	89–301	3	Addition.
31	63:1051	439	----------	1194, 1196	89–321	402(a)	Exception.
31	63:1051	439	101	1203	89–321	506	Do.
31	63:1051	439	103(b)	447	89–112	2	Amendment.
31	63:1051	439	103(d)	1194	89–321	402(a)	Addition.
31	63:1051	439	105(a)	1189	89–321	301	Exception.
31	63:1051	439	105(d)	446	89–112	1	Amendment.
31	63:1051	439	105(e)	1188	89–321	301	Addition.
31	63:1051	439	106(c)	72	89–12	3	Do.
31	63:1051	439	107	1203	89–321	506	Revision.
31	63:1051	439	107(1)	1203	89–321	506	Exception.
31	63:1051	439	403	1213	89–321	802	Amendment; exception.
31	63:1051	439	407	1197	89–321	404	Do.
31	63:1051	439	407	1203	89–321	505(3)	Amendment extended.
31	63:1051	439	408(b)	1197	89–321	402(b)	Amendment.
1950							
Mar. 10	64:12	455	3(c)	1312	89–348	2(7)	Do.
10	64:12	455	501	988	89–262	1	Do.
10	64:12	455	503(a)	988	89–262	2	Do.
10	64:12	455	505(a)	988	89–262	3	Do.
10	64:12	455	506	988	89–262	4	Do.
10	64:12	455	511	988	89–262	5	Revision.
Apr. 20	64:48	475	401 (c)–(e), (g)	489	89–117	601, 602, 604(b)	Amendment.
20	64:48	475	402	492	89–117	705(a)	Applicability.
20	64:48	475	402 (a), (c), (f)	492	89–117	705(a)	Exception.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1950							
Apr. 20	64:48	475	404(b)	489	89–117	604(a)	Amendment.
20	64:48	475	404(b)(1)	489	89–117	603	Revision.
20	64:48	475	507	534	89–128	----------	Conditional exception.
May 17	64:163	516	101	134	89–42	1(a)	Supplemental provision.
17	64:163	516	110	1093	89–298	304	Applicability.
17	64:163	516	201	1087	89–298	209	Partial exception.
17	64:163	516	204	1087	89–298	209	Supplemental provision.
Aug. 1	64:384	630	26(e)	424	89–100	----------	Revision.
9	64:430	681	----------	14	89–4	205(a)(3)	Exception.
9	64:430	681	11	1311	89–348	1(14)	Repeal.
15	64:447	693	1	1013	89–282	1	Revision.
Sept. 8	64:798	774	304(b)	1312	89–348	2(8)	Amendment.
8	64:798	774	708(e)	1313	89–348	2(10)	Do.
8	64:798	774	710(b)(7)	1313	89–348	2(11)	Do.
18	64:A224	[1] 957	----------	548	89–132	7(3)	Continuation provision.
21	64:873	797	2, "Sec. 18(g)"	244	89–79	2	Amendment.
23	64:967	815	----------	----------	----------	----------	(Revised. See 1958, P.L. 85–620, sec. 101.)
30	64:1098	873	----------	243	89–77	2	Exception.
30	64:1100	874	1–6	27	89–10	2	Designation as title I; amendment.
30	64:1100	874	2(a)	36	89–10	5	Amendment.
30	64:1100	874	3(b)	36	89–10	5	Do.
30	64:1100	874	3(c)(2)	1161	89–313	4	Do.
30	64:1100	874	3(c)(3)	1161	89–313	4	Deletion.
30	64:1100	874	3(c)(4)(A)	34	89–10	3(a)	Amendment.
30	64:1100	874	3(c)(5)	1161	89–313	4	Do.
30	64:1100	874	3(d)	35	89–10	4(d)(2)	Do.
30	64:1100	874	4(a)	34, 36	89–10	3(b), 5	Do.
30	64:1100	874	6(a)	243	89–77	2	Do.
30	64:1100	874	6(c)	35	89–10	4(d)(2)	Do.
30	64:1100	874	7–9	35	89–10	3(c)(1)	Secs. 7–9 redesignated as 301–303.
30	64:1100	874	7	1159	89–313	2	Addition.
30	64:1100	874	201–212	27	89–10	2	Do.
30	64:1100	874	203(a)(2)	243	89–77	3	Partial repeal.
30	64:1100	874	203(a)(5)	1161	89–313	6(a)	Addition.
30	64:1100	874	206(a)(1)	1162	89–313	6(b)	Amendment.
30	64:1100	874	207(b)	1162	89–313	7	Revision.
30	64:1100	874	301–303	35	89–10	3(c)(1)	Former secs. 7–9 redesignated as 301–303 (title III).
30	64:1100	874	302 (b), (c)	35	89–10	3(c)(2)	Amendment.
30	64:1100	874	303(2)	35	89–10	4(a)	Revision.
30	64:1100	874	303 (4), (5)	35	89–10	4 (b), (c)	Amendment.
30	64:1100	874	303(6)	1162	89–313	6(c)	Do.
30	64:1100	874	303(8)	35	89–10	4(d)(1)	Do.
30	64:1100	874	303 (11)–(15)	35	89–10	4(e)	Addition.
1951							
Oct. 20	65:452	183	497	150, 157	89–44	501(h), 701(d)	Repeal.
24	65:607	195	1	1015	89–282	3	Amendment.
24	65:608	196	1–7	785	89–183	8	Repeal, with exception.
30	65:672	233	201–209	243	89–77	2	Exception.

[1] Private law.

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Provisions affected				Amendatory provisions			
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1951							
Nov. 1	65:736	253	1310	448	89–114	1(b)	Nonapplicability.
1	65:736	253	1310(a)	448	89–114	1(a)	Amendment.
1	65:736	253	1310(f)	448	89–114	1(b)	Addition.
1952							
June 27	66:163	414	----------	911	89–236	1	Exception.
27	66:163	414	101(a)(27), (32)	916, 917	89–236	8 (a), (b)	Revision.
27	66:163	414	101(b)(1)(F)	917	89–236	8(c)	Do.
27	66:163	414	101(b)(6)	922	89–236	24	Repeal.
27	66:163	414 (Ch. 1)	201–206	921, 922	89–236	22(a), 23(a)	Chapter heading; table of contents revised.
27	66:163	414	201–203	911, 912, 921	89–236	1–3, 22(b)–(d)	Revision.
27	66:163	414	203(a) (1)–(8)	912	89–236	2	Limitation.
27	66:163	414	204	915, 921	89–236	4, 22(e)	Revision.
27	66:163	414	204(b)	915	89–236	4	Exception.
27	66:163	414	205, 206	916, 921	89–236	5, 6, 22 (f), (g)	Revision.
27	66:163	414	207	916, 921	89–236	7, 22(h)	Deletion.
27	66:163	414	211	917	89–236	9	Revision.
27	66:163	414	212(a) (1), (4)	919	89–236	15 (a), (b)	Amendment.
27	66:163	414	212(a)(14)	917	89–236	10(a)	Revision.
27	66:163	414	212(a)(20)	917, 918	89–236	9, 10(b)	Amendment; exception.
27	66:163	414	212(a)(21), (24)	918	89–236	10(c), (d)	Amendment.
27	66:163	414	212(f)–(i)	919	89–236	15(c)	Subsecs. (f)–(h) (added 75 Stat. 654) redesignated as (g)–(i).
27	66:163	414	212(g)	919	89–236	15(c)	Redesignated subsec. (g) amended.
27	66:163	414	221(a), (c), (g)	918, 919	89–236	11(a), (b), 17	Amendment.
27	66:163	414	222(a)	918	89–236	11(c)	Do.
27	66:163	414	224	918, 921, 922	89–236	11(d), 22(i), 23(b)	Revision.
27	66:163	414	241(a)(10)	918	89–236	11(e)	Amendment.
27	66:163	414	243(h)	918	89–236	11(f)	Do.
27	66:163	414	244(d)	918	89–236	12(a)	Revision.
27	66:163	414	244(f)	918	89–236	12(b)	Amendment.
27	66:163	414	245	919	89–236	13(b)	Nonapplicability.
27	66:163	414	245(b), (c)	918, 919	89–236	13(a), (b)	Revision.
27	66:163	414	249(a)	920, 922	89–236	19, 22(j), 23(c)	Amendment.
27	66:163	414	272(a)	920	89–236	18	Do.
27	66:163	414	281(a)–(c)	919	89–236	14(a), (c), (d)	Parts of existing text designated as (a), (c); subsec. (b) added.
27	66:163	414	281(a)(6)	919	89–236	14(b)	Revision.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1952							
July 3	66:328	448	----------	509	89–118	----------	(Revised. See 1961, P.L. 87–295, sec. 1.)
12	66:597	528	----------	72	89–12	1	(Revised. See 1955, P.L. 21, sec. 2.)
1953							
Mar. 25	67:7	10	1(c)(6), (7)	517	89–122	----------	Addition.
25	67:7	10	1(d)	1302	89–342	----------	Repeal.
25	67:7	10	2	968	89–248	----------	Amendment.
June 16	67:61	61	----------	549	89–134	2(d)	Applicability.
18	67:66	72	1	786	89–183	8	Repeal, with exception.
26	67:83	83	1	1224	89–329	110	Exception.
July 30	67:230	163	106(b)	1310	89–348	1(3)	Repeal.
Aug. 1	67:358	182	1	786	89–183	8	Repeal, with exception.
1954							
May 17	68:98	361	4	991	89–269	----------	Amendment.
July 2	68:396	470	101	857	89–211	1(a)	Do.
10	68:454	480	101–109	4	89–2	----------	Restriction.
10	68:454	480	101–109	662	89–171	401	Do.
10	68:454	480	104(a)	432	89–106	5	Amendment.
10	68:454	480	107	662	89–171	401	Do.
22	68:497	517	6(e)	423	89–98	----------	Revision.
26	68:533	531	----------	47	89–10	403	Short title assigned.
26	68:533	531	1–3	44, 46	89–10	401, 402	Sec. 2 redesignated as 3 and amended; new 1, 2 added.
26	68:533	531	4–6	46	89–10	403	Addition.
29	68:580	551	----------	172	89–48	1	Revision.
Aug. 2	68:590	560	312	480	89–117	315(a)(4)	Exception.
2	68:590	560	316(2)	484	89–117	317	Amendment. (See also 1946, P.L. 592, sec. 20 (i).)
2	68:590	560	701(a)(9)	17	89–4	213(a)	Addition.
2	68:590	560	701(b)	17	89–4	213(b)	Amendment.
2	68:590	560	701(b)	502, 503	89–117	1102(a)–(d)	Do.
2	68:590	560	701(g)	502	89–117	1102(c)(1)	Addition.
2	68:590	560	702	509	89–117	1112	Supplemental provision.
2	68:590	560	702(e)	503	89–117	1104	Amendment.
2	68:590	560	802(a)	502	89–117	1101	Revision.
3	68:652	565	2, "Secs. 1–3"	1282	89–333	2	Do.
3	68:652	565	2, "Sec. 4(a)"	1289, 1290, 1293	89–333	4(a)(1), 5(a), 12(b)(1)	Amendment.
3	68:652	565	2, "Sec. 4(a)(2)"	1290	89–333	4(a)(2)	Revision.
3	68:652	565	2, "Sec. 4(d)(1)"	1293	89–333	12(b)(1), (2)	Amendment.
3	68:652	565	2, "Sec. 4(d)(2)"	1290, 1293	89–333	4(a)(3), 12(b)(1)	Do.
3	68:652	565	2, "Sec. 4(d)(3)"	1293	89–333	12(a)	Revision.
3	68:652	565	2, "Sec. 5(a)(1), (2)"	1291, 1292	89–333	8	Deletion; new pars. (1), (2) added.
3	68:652	565	2, "Sec. 5(a)(3)"	1288	89–333	3	Waiver.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1954							
Aug. 3	68:652	565	2, "Sec. 5(a)(4)"	1293	89–333	12(b)(1)	Amendment.
3	68:652	565	2, "Sec. 7(a)(1)–(4)"	1291	89–333	7(a)	Par. (1) deleted; (2)–(4) redesignated as (1)–(3).
3	68:652	565	2, "Sec. 7(a)(1)"	1293	89–333	12(b)(1)	Redesignated par. (1) amended.
3	68:652	565	2, "Sec. 7(a)(2)"	1290	89–333	5(b)	Redesignated par. (2) amended. (formerly par. (3).)
3	68:652	565	2, "Sec. 7(a)(3)"	1291, 1293	89–333	7(a), 12(b)(1)	Redesignated par. (3) amended.
3	68:652	565	2, "Sec. 7(c),(d)"	1291	89–333	7(b)	Addition.
3	68:652	565	2, "Sec. 8"	1293	89–333	12(b)(3)	Amendment.
3	68:652	565	2, "Sec. 11(a)"	1291–1294	89–333	6(a), 9, 12(b)(1), (d)	Do.
3	68:652	565	2, "Sec. 11(a)(6)"	1291	89–333	6(b)	Do.
3	68:652	565	2, "Sec. 11(a)(7)"	1293	89–333	11	Revision.
3	68:652	565	2, "Sec. 11(a)(8)"	1293	89–333	12(b)(1)	Amendment.
3	68:652	565	2, "Sec. 11(b)"	1292–1294	89–333	10, 12(b)(1), (d)	Do.
3	68:652	565	2, "Sec. 11(c)"	1293	89–333	12(b)(1)	Do.
3	68:652	565	2, "Sec. 11(d)"	1294	89–333	12 (c), (d)	Do.
3	68:652	565	2, "Sec. 11(i)"	1294	89–333	13	Revisions.
3	68:652	565	2, "Sec. 12"	676	89–178	----------	Revision.
3	68:652	565	2, "Secs. 12–17"	1284–1289	89–333	3	Secs. 12, 13 redesignated as 16, 17; new 12–15 added.
4	68:666	566	2	1300	89–337	----------	Amendment.
17	68:736	598	----------	51	89–10	507(c)(3)	Continuation of benefits.
17	68:736	598	----------	52, 53	89–10	507(c)(3),(f)	Nonapplicability.
17	68:736	598	----------	905	89–234	2(f)	Applicability.
17	68:736	598	5(c)	523	89–128	----------	Exception.
17	68:736	598	10	523	89–128	----------	Supplemental provision.
26	68:832	665	143	661	89–171	303(a)	Repeal.
28	68:884	681	"Sec. 2(d)"	1216	89–326	1	Amendment.
28	68:884	681	"Sec. 7"	1216	89–326	2	Do.
28	68:884	681	"Sec. 10"	1216	89–326	3	Revision.
28	68:897	690	602(e)	431	89–106	4	Addition.
28	68:897	690	703	1188	89–321	201(1)–(3)	Amendment.
30	68:919	703	1, "Sec. 56"	123	89–32	107	Exception.
30	68:919	703	1, "Sec. 169"	122	89–32	106, 107	Do.
30	68:919	703	1, "Sec. 170c"	855	89–210	1	Revision.
30	68:919	703	1, "Sec. 170d, e"	856	89–210	2, 3	Partial revision.
30	68:919	703	1, "Sec. 170k"	856	89–210	4	Amendment.
30	68:919	703	1, "Sec. 170*l*"	856	89–210	5	Revision.
30	68:919	703	1, "Sec. 271"	551	89–135	----------	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1954							
Aug. 31	68:1009	738	----------	14	89–4	205(a)(2)	Exception.
Sept. 1	68:1052	761	102(f)(2)(B)	366	89–97	302(f)(7)	Repeal.
1	68:1105	763	402	1122	89–301	13	Amendment.
3	68:1248	780	203	134	89–42	1(a)	Supplemental provision.
1955							
Mar. 31	69:23	21	2	72	89–12	1	Amendments; applicability.
July 15	69:324	161	515	813	89–188	504	Revision.
15	69:352	162	----------	13	89–4	205(a)(1)	Exceptions.
Aug. 5	69:499	242	----------	1121	89–301	11 (g), (h)	Amendment; exception.
11	69:635	345	201–207	503	89–117	1107(a)	Exception.
11	69:635	345	202(b)(4)	503	89–117	1107(b) (1), (2)	Amendment.
11	69:635	345	202(c)	503	89–117	1107(a)	Do.
11	69:669	350	10	519	89–126	2	Addition.
1956							
May 28	70:188	540	101–128	1206	89–321	601	Repeal, with exception.
June 27	70:339	623 (title I)	----------	537	89–128	----------	Amendment.
27	70:356	624	----------	269	89–90	----------	Do.
27	70:356	624	101	857	89–211	1(b)	Do.
29	70:374	627	108(b)	578	89–139	1	Do.
29	70:374	627	209(c)(1)	144, 155	89–44	210(a)(4), 701(a)(2)	Do.
29	70:374	627	209(c)(1)(H)	144, 155	89–44	210(a), 701(a)(2)	Addition.
29	70:374	627	209(c)(3)(A)	144, 155	89–44	210(b), 701(a)(2)	Revision.
29	70:374	627	209(f)(3)	144, 155	89–44	210(c), 701(a)(2)	Amendment.
29	70:374	627	209(f)(6)	168	89–44	809(e)	Addition.
July 9	70:498	660	1	16	89–4	212(a)	Exception.
9	70:498	660	1, "Sec. 1(a)–(c)"	903	89–234	1(a)	Subsec. (a) redesignated as (b) and amended; (b) as (c); new (a) added.
9	70:498	660	1, "Secs. 2–5"	903	89–234	2(a)	Secs. 2–4 redesignated as 3–5; new 2 added.
9	70:498	660	1, "Secs. 5–16"	903	89–234	2(a)	Secs. 5–14 redesignated as 7–16.
9	70:498	660	1, "Sec. 6"	905	89–234	3	Addition.
9	70:498	660	1, "Sec. 7(f)(6)"	910	89–234	7(a)	Redesignated sec. 7 amended.
9	70:498	660	1, "Sec. 8"	907, 910	89–234	4(h), 7(b)	Redesignated sec. 8 amended; exception.
9	70:498	660	1, "Sec. 8(b)"	906	89–234	4(c)	Redesignated sec. 8 amended.
9	70:498	660	1, "Sec. 8(b)(2)"	906	89–234	4(a)–(c)	Redesignated sec. 8 amended; nonapplicability.
9	70:498	660	1, "Sec. 8(c), (d)"	906, 907	89–234	4(d)(1)–(4), (e), (f)	Redesignated sec. 8 amended.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1956							
July 9	70:498	660	1, "Sec. 8(f), (g)"	907	89–234	4(g), (h)	Subsec. (f) of redesignated sec. 8 redesignated as (g) and amended; new (f) added.
9	70:498	660	1, "Sec. 10(b)"	910	89–234	7(c)	Redesignated sec. 10 amended.
9	70:498	660	1, "Sec. 10(c)–(j)"	907	89–234	5(a)	Subsecs. (c)–(i) of redesignated sec. 10 redesignated as (d)–(j); new (c) added.
9	70:498	660	1, "Sec. 10(d)(1), (i)"	909, 910	89–234	5(b), 7(d)	Redesignated subsecs. (d)(1), (i) of redesignated sec. 10 amended.
9	70:498	660	1, "Sec. 11"	910	89–234	7(e)	Redesignated sec. 11 amended.
9	70:498	660	1, "Sec. 12 (d), (e)"	909	89–234	6	Addition to redesignated sec. 12.
11	70:525	692	----------	1310	89–348	1(4)	Report abolished.
28	70:702	826	"Sec. 3"	1095	89–298	310 (b), (c)	Amendment.
31	70:736	854	401	52, 53	89–10	507 (c)(3), (f)	Restriction; nonapplicability.
31	70:736	854	401	109	89–17	----------	Certain eligibility provisions clarified.
31	70:736	854	401	637	89–164	----------	Exception.
31	70:736	854	401	904	89–234	2 (d), (e)	Restrictions.
31	70:736	854	401, "Sec. 1(t)"	840	89–205	1(a)	Revision.
31	70:736	854	401, "Sec. 10(d)"	841	89–205	1(c)	Supplemental provision.
31	70:736	854	401, "Sec. 17(a)"	840	89–205	1(b)	Amendment.
31	70:736	854	401, "Sec. 18"	840	89–205	1(c)	Revision.
31	70:736	854	401, "Sec. 18(f)"	1162	89–314	1	Addition.
Aug. 1	70:799	877	2(a)–(c)	1103	89–299	----------	Exception.
1	70:807	880	116(e)	340	89–97	109(b)	Repeal.
2	70:934	918	4	432	89–106	6	Amendment.
3	70:986	959	2	74	89–14	----------	Do.
3	70:1028	976	----------	749	89–183	1	Exception.
3	70:1028	976	1–11	786	89–183	8	Repeal, with exception.
8	70:1119	1024	4 (a), (b)(1)	262	89–85	1, 2	Revision.
8	70:1119	1024	4(b)(4)–(8)	262	89–85	3	Addition.
8	70:1119	1024	4(c)	262, 263	89–85	4, 5	Revision; exception.
1957							
Aug. 13	71:344	85–127	----------	1210	89–321	704	Amendment. (See also 1938, P.L. 430, sec. 359(c).)
21	71:403	85–162	111(a)(3)	122	89–32	105	Amendment.
28	71:453	85–177	3	1311	89–348	1(20)	Partial repeal.
31	71:560	85–244	1, 2	787	89–183	8	Repeal, with exception.
31	71:560	85–244	3	779	89–183	3	Revision.
31	71:560	85–244	5–7	787	89–183	8	Repeal, with exception.
31	71:560	85–244	9(a)–(d)	787	89–183	8	Do.
31	71:560	85–244	10, 11	787	89–183	8	Do.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1957							
Sept. 9	71:634	85–315	151	445	89–110	14(a)	Applicability.
1958							
Mar. 28	72:67	85–356	1–11	787	89–183	8	Repeal, with exception.
Apr. 11	72:87	85–377	1	523	89–128	----------	Exception. (See 1954, P.L. 598, sec. 5(c).)
June 6	72:183	85–451	1(b)	665	89–173	5(b)	Amendment.
25	72:218	85–465	1(a)	109	89–17	----------	Clarification of certain provisions.
25	72:218	85–465	2	840	89–205	1(c)	Annuity increase.
July 3	72:297	85–500	104	1092	89–298	302	Revision.
3	72:297	85–500	111	1094	89–298	309	Do.
3	72:297	85–500	203	1079, 1081, 1082, 1085	89–298	204, 207	Project modification.
18	72:384	85–536	2, "Sec. 4(c)"	207	89–59	1(c), 2	Amendment.
18	72:384	85–536	2, "Sec. 4(c)"	243	89–78	----------	Do.
18	72:384	85–536	2, "Sec. 4(c)"	484	89–117	316 (a), (d)	Amendment; nonapplicability.
18	72:384	85–536	2, "Sec. 4(c)"	1294	89–334	----------	Amendment.
18	72:384	85–536	2, "Sec. 7(b)"	206	89–59	1(a)	Do.
18	72:384	85–536	2, "Sec. 7(c)"	133	89–41	6	Exception.
18	72:384	85–536	2, "Sec. 7(c)(1), (2)"	206	89–59	1(b)	Existing text designated as (1); par. (2) added.
18	72:384	85–536	2, "Sec. 10(a)"	1310	89–348	1(3)	Partial repeal.
31	72:439	85–570	----------	269	89–90	----------	Amendment.
31	72:439	85–570	----------	583	89–147	----------	Do.
Aug. 1	72:479	85–582	2	902	89–232	----------	Revision.
12	72:548	85–620	101, "Secs. 1–10"	1159	89–313	1	Nonapplicability.
12	72:548	85–620	101, "Sec. 5(e)"	1161	89–313	5	Amendment.
12	72:548	85–620	101, "Sec. 6(b)(1)"	1159	89–313	1	Applicability.
12	72:548	85–620	101, "Sec. 10"	243	89–77	1	Amendment.
12	72:548	85–620	101, "Secs. 16, 17"	1158, 1161	89–313	1, 3	Addition.
12	72:563	85–624	2, "Sec. 2(d)"	216	89–72	6(b)	Amendment; partial repeal. (See also 1946, P.L. 732.)
21	72:689	85–699	201	484	89–117	316(b)	Amendment.
21	72:689	85–699	401–403	482–484	89–117	316 (a), (c)	Addition.
21	72:700	85–701	5	1312	89–348	2(5)	Amendment.
23	72:731	85–726	301(b)	171	89–46	----------	Exception.
23	72:731	85–726	1309	1310	89–348	1(6)	Partial repeal.
28	72:1013	85–840	316	409	89–97	337	Amendment.
28	72:1063	85–844	----------	52	89–10	507(c)(3)	Exception.
28	72:1063	85–844	101	841	89–205	2	Limitation not applicable.
28	72:1063	85–844	101	1162	89–314	2	Do.

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1958							
Sept. 2	72:1105	85-857	10	1154	89-311	1(b)	Rate adjustment authority.
2	72:1105	85-857	12(c)	173	89-50	1(c), (d)	Repeal.
2	72:1580	85-864	103(b)	1251	89-329	461	Revision.
2	72:1580	85-864	204(2)(B)	1235	89-329	407(b)(1)	Nonapplicability.
2	72:1580	85-864	204(2)(D), (E)	1254	89-329	466(b)	Clause (D) redesignated as (E); new (D) added.
2	72:1580	85-864	204(3)	1252	89-329	462	Revision.
2	72:1580	85-864	205(b)(2)	1252	89-329	463(a)	Partial revision.
2	72:1580	85-864	205(b)(2)(A)(iv)	979	89-253	31	Addition.
2	72:1580	85-864	205(b)(2)(D)	1252	89-329	463(b)	Amendment.
2	72:1580	85-864	205(b)(2)(F)	1253	89-329	464	Addition.
2	72:1580	85-864	205(b)(3)	1253	89-329	465	Amendment.
2	72:1580	85-864	205(c),(d)	1253	89-329	466(a)	Subsec. (c) redesignated as (d); new (c) added.
2	72:1580	85-864	301	1254	89-329	467(a)(2)	Amendment.
2	72:1580	85-864	303(a)(1), (5)	1254	89-329	467(a)(1)	Do.
2	72:1580	85-864	1004(b),(c)	854	89-209	12(d)	Applicability.
2	72:1580	85-864	1101	1254	89-329	467(b)	Amendment.
2	72:1580	85-864	1101(3),(4)	1228	89-329	225	Clause (3) deleted; (4) renumbered as (3).
2	72:1717	85-897	4(b)(1),(2)	124	89-35	1, 2	Amendment.
2	72:1742	85-905	----------	983	89-258	----------	Revision.
6	72:1777	85-926	5(c)	430	89-105	7	Addition.
6	72:1777	85-926	7	430	89-105	8	Revision.
1959							
Aug. 7	73:299	86-147	14	23	89-6	----------	Addition.
10	73:302	86-149	412(b)	109	89-18	----------	Exception.
10	73:302	86-149	412(b)	128	89-37	304	Revision.
10	73:302	86-149	412(b)	872	89-213	----------	Exception.
21	73:398	86-176	----------	1147	89-309	----------	Amendment.
25	73:420	86-192	1(a),(d)	432	89-107	----------	Do.
25	73:420	86-192	11	432	89-107	----------	Do.
25	73:420	86-192	12(a),(b)	432	89-107	----------	Do.
Sept. 9	73:479	86-249	----------	530	89-128	----------	Applicability.
14	73:519	86-257	205(a)-(c)	888	89-216	2(a)-(c)	Amendment.
14	73:519	86-257	207(b)	888	89-216	2(d)	Do.
14	73:519	86-257	211	888	89-216	3	Addition; exception.
14	73:519	86-257	502(a)	888	89-216	1	Amendment.
23	73:654	86-372	202(a)(3), (4)	457	89-117	105(a), (b)	Do.
28	73:708	86-382	----------	51	89-10	507(c)(3)	Continuation of benefits.
28	73:708	86-382	----------	52, 53	89-10	507(c)(3), (f)	Nonapplicability.
1960							
Apr. 8	74:17	86-412	----------	239, 242	89-75	1, 15	Supplemental provisions.
June 1	74:154	86-484	----------	822	89-192	----------	Amendment.
8	74:166	86-500	----------	818	89-188	607(b)	Exception.
8	74:166	86-500	101	796	89-188	104(a)	Amendment.
8	74:166	86-500	502(1)	796	89-188	104(b)	Do.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1960							
July 12	74:446	86–628	105(c)	584	89–147	4	Partial repeal.
14	74:480	86–645	101	1091	89–298	301	Project modification.
14	74:480	86–645	107(a), (b)	1095	89–298	310(a)(1), (2), (c)	Amendment.
14	74:480	86–645	206(b)	1089	89–298	220	Do.
14	74:504	86–648	1, 2, 11	919	89–236	16	Repeal.
14	74:537	86–669	----------	664	89–173	3(b)	Applicability.
14	74:537	86–669	202	666	89–173	7	Amendment.
14	74:537	86–669	205(a)(2)	665	89–173	3(d)	Exception.
14	74:553	86–674	1	787	89–183	8	Repeal, with exception.
Sept. 8	74:821	86–722	----------	1099	89–299	----------	Exception.
8	74:849	86–724	4(b), 6(c)	170	89–45	1	Repeal.
8	74:849	86–724	8(a)	170	89–45	2	Amendment.
8	74:849	86–724	8(b)	170	89–45	3	Revision.
13	74:924	86–778	102(k)(1), (2)	390	89–97	318	Existing text designated as (1); par. (2) added.
13	74:924	86–778	105(b)	386, 387	89–97	316(c)(1), (2)	Revision; applicability.
13	74:924	86–778	303(a)–(f)	366	89–97	302(f)(6)	Exception. (See also 1935, P.L. 271, sec. 215.)
13	74:924	86–778	303(g)(1)	366	89–97	302(f)(6)	Amendment.
1961							
May 1	75:47	87–27	----------	572	89–136	703	Savings provisions.
1	75:47	87–27	16, 17	79	89–15	9(b)	Repeal, with exception.
1	75:47	87–27	29(a)	195	89–55	----------	Amendment.
1	75:47	87–27	29 (b), (c)	572	89–136	704	Transfer of functions.
June 29	75:129	87–63	5	1312	89–348	2(2)	Amendment.
30	75:149	87–70	207	503	89–117	1105	Do.
30	75:149	87–70	701 (b), (c)	494, 495	89–117	901 (a)–(c)	Subsec. (b) redesignated as (c) and amended; new (b) added.
30	75:149	87–70	702 (a)–(c)	495, 497	89–117	902(a), (b), 903, 904, 909 (a), (b)	Amendment.
30	75:149	87–70	702(e)	497	89–117	909(c)	Do.
30	75:149	87–70	703(a)	495	89–117	905	Revision.
30	75:149	87–70	704	497	89–117	909(d)	Amendment.
30	75:149	87–70	705–709	495, 496	89–117	906, 907	Secs. 705, 706 redesignated as 708, 709; new 705–707 added.
30	75:149	87–70	706	496	89–117	906	Exception.
30	75:149	87–70	708	497	89–117	908	Amendment (redesignated sec. 708).
30	75:149	87–70	709(4)	495	89–117	902(c)	Addition (redesignated sec. 709).
Aug. 8	75:294	87–128	306(a)	931	89–240	1	Revision.
8	75:294	87–128	308	932	89–240	2(a)	Amendment.
8	75:294	87–128	308 (a), (b)	932	89–240	2(a)	Do.
8	75:294	87–128	309 (e), (f)(1)	932	89–240	2 (b), (c)	Do.
10	75:320	87–130	----------	269	89–90	----------	Do.
17	75:342	87–141	----------	537	89–128	----------	Amendment. (See also 1956, P.L. 623.)

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Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1961							
Sept. 4	75:424	87–195	----------	653, 661	89–171	102(a), 303(d)	Exception.
4	75:424	87–195	----------	1004, 1005	89–273	107, 109, 116	Restrictions.
4	75:424	87–195	102	653	89–171	101 (a), (b)	Amendment.
4	75:424	87–195	201	653	89–171	102(a)	Exception.
4	75:424	87–195	205	653	89–171	102(a)	Revision.
4	75:424	87–195	205	1002	89–273	----------	Exception.
4	75:424	87–195	206	653	89–171	102(b)	Addition.
4	75:424	87–195	212	654	89–171	103(a)	Amendment.
4	75:424	87–195	214(b)	654	89–171	103(b)	Do.
4	75:424	87–195	214(b)	1004	89–273	109(b)	Exception.
4	75:424	87–195	214(c)	654	89–171	103(b)	Amendment.
4	75:424	87–195	221(b)	654	89–171	104(a) (1)	Do.
4	75:424	87–195	221(b) (1), (2)	654	89–171	104(a) (2), (3)	Do.
4	75:424	87–195	221(c)	654	89–171	104(b)	Do.
4	75:424	87–195	222(b)	654	89–171	104(c)	Do.
4	75:424	87–195	223(c)	654	89–171	104(d)	Addition.
4	75:424	87–195	224	655	89–171	104(e)	Revision.
4	75:424	87–195	241	1005	89–273	113	Appropriation limitation.
4	75:424	87–195	252	655	89–171	105	Amendment.
4	75:424	87–195	301(c), 302	656	89–171	106 (a), (b)	Do.
4	75:424	87–195	402	656	89–171	107	Do.
4	75:424	87–195	451 (a), (b)	656	89–171	108 (a), (b)	Do.
4	75:424	87–195	503(b)	656	89–171	201(a)	Do.
4	75:424	87–195	504	656	89–171	201(b)	Do.
4	75:424	87–195	505(a)	656	89–171	201(c)(1)	Do.
4	75:424	87–195	505 (a), (b)	657	89–171	201(c)(2)	Subsec. (b) deleted; proviso of (a) redesignated as (b).
4	75:424	87–195	505(b) (2), (3)	657	89–171	201(c)(3)	Clause (2) of redesignated subsec. (b) renumbered as (3); new (2) added.
4	75:424	87–195	507 (a), (b)	657	89–171	201(d)	Amendment.
4	75:424	87–195	508	657	89–171	201(e)	Do.
4	75:424	87–195	509(b)	657	89–171	201(f)	Do.
4	75:424	87–195	510(a)	658	89–171	201(g)	Do.
4	75:424	87–195	511(a)	658	89–171	201(h)(1)	Do.
4	75:424	87–195	511(b)	658	89–171	201(h)(2)	Revision.
4	75:424	87–195	512	658	89–171	201(i)	Amendment.
4	75:424	87–195	605(c), (d)	658	89–171	301(a)	Addition.
4	75:424	87–195	612(b), (c)	659	89–171	301(b)	Subsec. (c) redesignated as (b) and amended.
4	75:424	87–195	613(d)	659	89–171	301(c)	Addition.
4	75:424	87–195	620(e)(2)	659	89–171	301 (d)(1), (2)	Amendment.
4	75:424	87–195	620(e) (2) (3)	659	89–171	301(d)(2)	Deletion.
4	75:424	87–195	620(l)	659	89–171	301(d)(3)	Amendment.
4	75:424	87–195	620(n)	659	89–171	301(d)(4)	Addition.
4	75:424	87–195	620(o)	660	89–171	301(d)(4)	Addition; exception.
4	75:424	87–195	622 (b), (c)	660	89–171	302(a)	Amendment.
4	75:424	87–195	624 (b), (d)	660	89–171	302(b)	Do.
4	75:424	87–195	625(d)(2)	660	89–171	302(c)	Do.
4	75:424	87–195	626 (c), (d)	660	89–171	302(d)	Subsec. (d) redesignated as (c).
4	75:424	87–195	630 (2), (4)	660	89–171	302(e)	Amendment.
4	75:424	87–195	631(d)	660	89–171	302(f)	Addition.
4	75:424	87–195	635(g)	660	89–171	302(g)	Amendment.
4	75:424	87–195	636 (e), (f)	660, 661	89–171	302(h)	Do.

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1961							
Sept. 4	75:424	87–195	637(a)	661	89–171	302(i)	Amendment.
4	75:424	87–195	638	661	89–171	302(j)	Do.
4	75:424	87–195	639, 640	661	89–171	302(k)	Addition.
4	75:424	87–195	642(a)(2)	661	89–171	303(a)	Amendment.
4	75:424	87–195	644(g), (m)	661	89–171	303(b)(1), (3)	Do.
4	75:424	87–195	644(m)(2)	657, 661	89–171	201(d)(1), 303(b)(2)	Exception; amendment.
4	75:424	87–195	645	661	89–171	303(c)	Amendment.
4	75:424	87–195	649	661	89–171	303(d)	Addition.
14	75:509	87–236	----------	1088	89–298	215	Amendment.
14	75:515	87–246	1–5, 8	787	89–183	8	Repeal, with exception.
21	75:527	87–256	105(f), 108(c)	630	89–164	----------	Applicability.
22	75:572	87–274	6	212	89–69	----------	Revision.
22	75:612	87–293	3(b)	549	89–134	1	Amendment.
22	75:612	87–293	5(c), (e), (g), (h)	549	89–134	2(a)–(d)	Do.
22	75:612	87–293	6(3)	549	89–134	3	Do.
22	75:612	87–293	7(a)–(c)	549–551	89–134	4(a), (b), 5	Subsecs. (a), (b) deleted; (c) redesignated as (a); savings provision.
22	75:612	87–293	7(a)(1)–(3)	550	89–134	4(b)(1)–(4)	Redesignated subsec. (a) amended.
22	75:612	87–293	7(b)–(e)	550	89–134	4(c), (d)	Subsecs. (d), (e) redesignated as (b), (c) and amended.
22	75:612	87–293	10(a)(3)	551	89–134	6	Amendment.
22	75:612	87–293	15(c)	551	89–134	7	Do.
22	75:628	87–295	1, "Sec. 2(b)"	509	89–118	1(1)	Do.
22	75:628	87–295	1, "Sec. 8"	509	89–118	1(2)	Do.
26	75:631	87–297	49(a)	118	89–27	----------	Do.
26	75:662	87–304	1(1)(G), (H)	171	89–47	----------	Subpar. (G) redesignated as (H); new (G) added.
26	75:666	87–305	5(a)	1310	89–348	1(3)	Partial repeal. (See also 1958, P.L. 85–536, sec. 2, "Sec. 10(a)".)
Oct. 3	75:766	87–347	2(d)	925	89–238	1(1)	Revision.
3	75:766	87–347	3(a)	925	89–238	1(2)	Do.
3	75:766	87–347	6(a)(2)	925	89–238	1(3)	Do.
3	75:766	87–347	7	925	89–238	1(4)	Amendment.
3	75:766	87–347	9(c)	925	89–238	1(5)	Deletion.
1962							
Mar. 15	76:23	87–415	101	75	89–15	2	Amendment.
15	76:23	87–415	102(2), (5)	75, 76	89–15	3(a), 4(b)	Do.
15	76:23	87–415	102(6)	75	89–15	3(b)	Addition.
15	76:23	87–415	103–107	75	89–15	4(a)	Secs. 103, 104 renumbered as 106, 107; new 103–105 added.
15	76:23	87–415	202(i)	77	89–15	5	Amendment.
15	76:23	87–415	203(a)–(c)	77, 78	89–15	6(a)–(c)	Do.

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1962							
Mar. 15	76:23	87–415	203(d)–(j)	78	89–15	6(d)	Subsec. (d) repealed; (e)–(j) redesignated as (d)–(i).
15	76:23	87–415	203(g)(2)	78	89–15	6(e)	Redesignated subsec. (g) amended.
15	76:23	87–415	208	78	89–15	7	Repeal.
15	76:23	87–415	231	78	89–15	8	Amendment.
15	76:23	87–415	241	79	89–15	9(a)	Addition.
15	76:23	87–415	301, 302	79	89–15	10, 11	Amendment.
15	76:23	87–415	304	80	89–15	12	Revision.
15	76:23	87–415	305(e)	80	89–15	13	Addition.
15	76:23	87–415	306(a)	80	89–15	14	Amendment.
15	76:23	87–415	309(a), (b)	80	89–15	15	Do.
15	76:23	87–415	310	80	89–15	16	Do.
June 28	76:114	87–508	5(e)	148, 157	89–44	303(b), 701(b)(3)	Deletion.
July 27	76:223	87–554	101	796	89–188	105(a)	Amendment.
27	76:223	87–554	101	816	89–188	606(a)(3)(a), (b)	Exceptions.
27	76:223	87–554	602(1)	796	89–188	105(b)	Amendment.
Aug. 14	76:386	87–586	1(a)	1129	89–307	1(a)	Do.
14	76:386	87–586	1(a)(4)	1129	89–307	1(b)	Do.
14	76:386	87–586	4(b)	1129	89–307	2	Do.
16	76:388	87–589	4	207	89–60	----------	Do.
Sept. 10	76:530	87–655	18	1311	89–348	1(11)	Partial repeal.
19	76:555	87–668	----------	581	89–142	----------	Copyright terms, extension.
26	76:599	87–701	101(b)	123	89–32	108(a)	Amendment.
26	76:599	87–701	111	123	89–32	108(c)	Rescission.
27	76:605	87–703	326, 328	1192, 1206	89–321	303, 514	Amendment.
28	76:653	87–714	----------	826	89–195	6(b)	Applicability.
Oct. 3	76:716	87–741	----------	83	89–16	----------	Supplemental provision.
11	76:832	87–793	1101(a)	109	89–17	----------	Clarification of certain provisions.
11	76:872	87–794	321–338	1020	89–283	302(j)	Exception.
15	76:938	87–821	1, 2 (b), (c), 3	787	89–183	8	Repeal, with exception.
18	76:1079	87–842	2, 3	1126	89–305	----------	Amendment.
23	76:1173	87–874	101	1094, 1095	89–298	305, 311	Amendment; supplemental provision.
23	76:1173	87–874	203	1077, 1085	89–298	204, 205	Project modification.
1963							
June 4	77:54	88–36	2	257	89–81	209	Partial revision.
July 22	77:84	88–72	101(e)	123	89–32	108(b)	Amendment.
22	77:84	88–72	105, 106	123	89–32	108 (d), (e)	Rescission.
Aug. 20	77:129	88–102	4	256	89–81	202	Amendment.
Oct. 31	77:282	88–164	----------	11	89–4	202(a)	Exception. (See 1944, P.L. 410, secs. 761–766.)
31	77:282	88–164	100–137	427	89–105	2(a)(4)	Amendment.
31	77:282	88–164	201–207	427	89–105	2(a)	Designation as Part A; technical amendments.
31	77:282	88–164	220–224 (Part B)	427	89–105	2(b)	Addition.
31	77:282	88–164	302(a)	429	89–105	4	Amendment.
31	77:282	88–164	302 (f)–(i)	430	89–105	5	Addition.

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1963							
Oct. 31	77:282	88–164	401–407	427	89–105	2(a)(4)	Amendment.
31	77:282	88–164	408	429	89–105	3	Addition.
Nov. 7	77:307	88–174	101	796	89–188	106(a)	Amendment.
7	77:307	88–174	101	816, 817	89–188	606(a)(3) (c)–(o)	Exceptions.
7	77:307	88–174	102	817	89–188	606(a)(3)(p)	Exception.
7	77:307	88–174	201	817, 818	89–188	606(a)(3) (q)–(s)	Exceptions.
7	77:307	88–174	301	809	89–188	304(a)	Amendment.
7	77:307	88–174	507	814	89–188	505	Do.
7	77:307	88–174	602 (1), (3)	797, 810	89–188	106(b), 304(b)	Do.
Dec. 16	77:363	88–204	101–111	1267	89–329	702 (a)(1), (b)(1)	Exceptions.
16	77:363	88–204	101(b)	1267	89–329	701(b)	Amendment.
16	77:363	88–204	103(b)(1), (2)	1267	89–329	702(a)(1)	Existing text designated as (1); par. (2) added.
16	77:363	88–204	103(c)	1267	89–329	702(a)(2)	Amendment.
16	77:363	88–204	104(b)(1), (2)	1267	89–329	702(b)(1)	Existing text designated as (1); par. (2) added.
16	77:363	88–204	104(c)	1267	89–329	702(b)(2)	Amendment.
16	77:363	88–204	105(a)	1267	89–329	702(a)(3)	Do.
16	77:363	88–204	105(a)(2)	1268	89–329	702(c)(1)	Do.
16	77:363	88–204	105(a)(3)	1267, 1268	89–329	702(a)(4), (b)(3)	Do.
16	77:363	88–204	106	1266	89–329	701(a)	Revision.
16	77:363	88–204	107(b)	1268	89–329	702(c)(2)	Amendment.
16	77:363	88–204	201	1267, 1268	89–329	701(c), 702(d)	Do.
16	77:363	88–204	303(b)(1), (2)	1268	89–329	703	Part of existing text designated as (1); par. (2) added.
16	77:363	88–204	303(c)	1268	89–329	702(e)	Amendment.
16	77:363	88–204	401(a)(2)(E)	1268	89–329	702(f)	Revision.
16	77:363	88–204	401(d)	1268	89–329	702(c)(3)	Amendment.
17	77:392	88–206	1, "Secs. 1–7"	992	89–272	101(1)–(3)	Redesignated as secs. 101–107.
17	77:392	88–206	1, "Secs. 8–14"	992	89–272	101(4), (5)	Redesignated as secs. 301–307.
17	77:392	88–206	1, "Secs. 101–107"	992	89–272	101(1)–(3)	Former secs. 1–7 redesignated as 101–107; heading added.
17	77:392	88–206	1, "Sec. 103(a)(5)"	996	89–272	103	Addition.
17	77:392	88–206	1, "Sec. 103(d), (e)"	996	89–272	103(4)	Do.
17	77:392	88–206	1, "Sec. 105(c)(1)(D)"	995	89–272	102(a)	Addition; applicability.
17	77:392	88–206	1, "Sec. 105(f)(1)(A), (B)"	995	89–272	102(b)	Part of existing text designated as (A); clause (B) added.
17	77:392	88–206	1, "Secs. 201–209"	992	89–272	101(8)	Addition.
17	77:392	88–206	1, "Sec. 203(a)"	993	89–272	101(8)	Exemptions.
17	77:392	88–206	1, "Secs. 301–307"	992	89–272	101(4), (5)	Former secs. 8–14 redesignated as 301–307; heading added.

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1963							
Dec. 17	77:392	88-206	1, "Sec. 306 (a), (b)"	992	89-272	101(6), (7)	Subsec. (a) deleted; designation "(b)" deleted.
18	77:403	88-210	1-17	16	89-4	211(a)	Exception.
18	77:403	88-210	1-17	1224	89-329	110	Do.
19	77:425	88-215	----------	83	89-16	----------	Supplemental provision.
23	77:478	88-241	13	787	89-183	8	Repeal, with exception.
1964							
Feb. 20	78:17	88-271	4, 5	261	89-84	----------	Amendment.
Apr. 11	78:173	88-297	202(7)	1203	89-321	505(1)	Amendment. (See also 1938, P.L. 430, sec. 339(a)(1).)
11	78:173	88-297	202(13)	1203	89-321	505(2)	Amendment. (See also 1938, P.L. 430, sec. 379c(b).)
11	78:173	88-297	204	1203	89-321	505(3)	Amendment. (See also 1949, P.L. 439, sec. 407.)
July 3	78:269	88-354	4(b), 7	111	89-20	----------	Amendment.
9	78:302	88-365	6(b)	475	89-117	304(b)	Partial repeal.
9	78:302	88-365	9(c)-(f)	507	89-117	1109	Subsec. (c) deleted; (d)-(f) redesignated as (c)-(e).
Aug. 1	78:341	88-390	101	797	89-188	107(a)	Amendment.
1	78:341	88-390	501(a)(2), (3)	818	89-188	606(b)	Exception.
1	78:341	88-390	602(1)	797	89-188	107(b)	Amendment.
1	78:341	88-390	606	816	89-188	606(a)(3)	Exception.
11	78:388	88-416	----------	910	89-235	----------	Time extension.
13	78:397	88-423	2(3)	132, 133	89-41	3(c), 7	Revision.
14	78:400	88-426	303(d)(12)	569	89-136	601(b)	Amendment.
14	78:400	88-426	303(d)(17)	449	89-115	4(c)	Do.
14	78:400	88-426	303(d)(17)	903	89-234	1(b)	Do.
14	78:400	88-426	303(e)(94)	669	89-174	5(b)	Repeal.
14	78:400	88-426	303(e)(95)	449	89-115	4(c)	Do.
14	78:400	88-426	303(e)(100)	570	89-136	601(c)	Addition.
19	78:484	88-448	----------	171	89-46	1	Applicability.
19	78:484	88-448	301(c)	238	89-75	----------	Exception.
20	78:508	88-452	----------	978	89-253	29	Do.
20	78:508	88-452	----------	1251	89-329	442	Nonapplicability.
20	78:508	88-452	103	973	89-253	2	Amendment.
20	78:508	88-452	103(e)	973	89-253	3	Do.
20	78:508	88-452	104(a)	973	89-253	4	Do.
20	78:508	88-452	104(d)	973	89-253	5	Revision.
20	78:508	88-452	106(c)(2)(A)	973	89-253	6	Do.
20	78:508	88-452	110	974	89-253	7	Amendment.
20	78:508	88-452	114(a)	974	89-253	8	Do.
20	78:508	88-452	115	974	89-253	9	Do.
20	78:508	88-452	121	1249	89-329	441(2)	Do.
20	78:508	88-452	122-126	1249	89-329	441(1)	Do.
20	78:508	88-452	122(a)	1249	89-329	441(1)	Do.
20	78:508	88-452	123	1249	89-329	441(3)	Deletion; new sec. 123 added.
20	78:508	88-452	124(a)	1250	89-329	441(4)	Deletion; new sec. 124(a) added.
20	78:508	88-452	124(c)	1250	89-329	441(5)	Partial revision.
20	78:508	88-452	124(c)(1)-(4)	1250	89-329	441(5)	Clause (1) deleted; (2)-(4) redesignated as (1)-(3).

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1964							
Aug. 20	78:508	88–452	124(f)	974	89–253	10	Amendment.
20	78:508	88–452	125	1250	89–329	441(6)	Do.
20	78:508	88–452	131	978	89–253	30(a)	Do.
20	78:508	88–452	131	1250	89–329	441(7)	Do.
20	78:508	88–452	202(a)(5)	974	89–253	11	Addition.
20	78:508	88–452	205(a)	974	89–253	12	Amendment.
20	78:508	88–452	205(d), (e)	974	89–253	13	Subsec. (d) redesignated as (e); new (d) added.
20	78:508	88–452	208(a)	975	89–253	14(a)	Amendment.
20	78:508	88–452	208(b), (c)	975	89–253	14(b), (c)	Subsec. (b) redesignated as (c) and amended; new (b) added.
20	78:508	88–452	209(a), (c)	975	89–253	15, 16	Amendment.
20	78:508	88–452	209(d), (e)	976	89–253	17	Subsec. (d) redesignated as (e); new (d) added.
20	78:508	88–452	213(a)	976	89–253	19	Amendment.
20	78:508	88–452	216(b)	976	89–253	18	Do.
20	78:508	88–452	218, 219	976	89–253	19(2)	Sec. 218 redesignated as 219; new 218 added.
20	78:508	88–452	220(a)	976	89–253	20	Amendment.
20	78:508	88–452	221	979	89–253	30(b)	Do.
20	78:508	88–452	302(a)	976	89–253	21	Do.
20	78:508	88–452	305(f)	977	89–253	22	Do.
20	78:508	88–452	311	977	89–253	23	Revision.
20	78:508	88–452	321	979	89–253	30(c)	Amendment.
20	78:508	88–452	331(c)	108	89–16	303	Do.
20	78:508	88–452	331(c)	977	89–253	24	Do.
20	78:508	88–452	502, 503	977, 979	89–253	25, 30(d)	Do.
20	78:508	88–452	603(a)(2)(C)	977	89–253	26(a)	Revision.
20	78:508	88–452	603(d)	977	89–253	26(b)	Do.
20	78:508	88–452	605	978	89–253	27	Amendment.
20	78:508	88–452	610	978	89–253	28	Addition.
20	78:508	88–452	615	979	89–253	30(e)	Amendment.
20	78:508	88–452	616	978	89–253	29	Deletion; new sec. 616 added.
20	78:508	88–452	617	979	89–253	30(f)	Addition.
20	78:508	88–452	701	422	89–97	407	Exception.
30	78:638	88–505	----------	787	89–183	8	Repeal, with exception.
30	78:640	88–507	----------	83	89–16	----------	Supplemental provision; exception.
31	78:711	88–527	----------	640	89–164	----------	Supplemental provision.
31	78:767	88–558	2, 3	789, 790	89–185	3, 4	Revision.
31	78:767	88–558	3(a)	790	89–185	4	Supplemental provision.
31	78:767	88–558	4	790	89–185	4	Exception.
31	78:767	88–558	8	791	89–185	5	Addition.
Sept. 2	78:769	88–560	312(a)	479	89–117	311(e), 312(a)	Amendment.
2	78:769	88–560	312(d)	479	89–117	312(b)	Do.
2	78:769	88–560	312(h)	479	89–117	312(c)	Addition.
2	78:769	88–560	801–810	1224	89–329	110	Exception.
2	78:769	88–560	802(d)	503	89–117	1103(a)	Amendment.
2	78:769	88–560	803	503	89–117	1103(b)	Do.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1964							
Sept. 2	78:809	88–563	2(c)(2)(B)	965	89–243	5(a)	Revision. (See also IRC 1954, secs. 4911–4920, 4931, table 4.)
2	78:862	88–573	----------	4	89–2	----------	Restriction.
3	78:897	88–578	2(a)	218	89–72	11	Amendment.
3	78:897	88–578	6(a)(2)	216	89–72	6(g)	Exception.
3	78:905	88–579	----------	849	89–209	6	Council and functions transferred.
3	78:905	88–579	----------	850	89–209	6(e)	Applicability.
3	78:905	88–579	5(a)	849	89–209	6(c), (d) (1)	Function abolished; amendment.
3	78:905	88–579	5(b)(2)	850	89–209	6(d)(2)	Amendment.
3	78:905	88–579	6(b)	847	89–209	5(d)(2)	Partial revision.
3	78:905	88–579	6(c)	847	89–209	5(d)(1)	Exception.
3	78:905	88–579	7(a)	850	89–209	6(d)(3)	Amendment.
3	78:905	88–579	7(d)	850	89–209	6(d)(4)	Repeal.
3	78:905	88–579	10	518	89–125	----------	Amendment.
3	78:905	88–579	10	850	89–209	6(d)(5)	Repeal.
3	78:908	88–580	----------	256	89–81	204(b)	Do.
15	78:944	88–597	1–18	787, 788	89–183	8	Repeal, with exception.
15	78:944	88–597	19(a)	779	89–183	4	(See 1938, P.L. 582 and 1939, P.L. 359.)
15	78:944	88–597	19(b)	779, 788	89–183	4, 8	Repeal, with exception; savings provision.
15	78:944	88–597	19(e)	788	89–183	8	Partial repeal, with exception.
15	78:944	88–597	20	779, 788	89–183	2, 8	Repeal, with exception; commission continued.
19	78:959	88–605 (title II)	----------	102	89–16	----------	Appropriation increase.
Oct. 6	78:1004	88–629	----------	665	89–173	4	Applicability.
7	78:1023	88–635	----------	96	89–16	----------	Supplemental provision.
13	78:1063	88–647	201	173	89–51	1	Applicability. (See also 10 USC 2101–2111, table 5(a).)
13	78:1079	88–652	4(a)	1120	89–301	11(c)	Compensation rates, increase.
1965							
Mar. 9	79:5	89–4	108	10	89–4	108 (b), (d)	Exceptions.
9	79:5	89–4	203	93	89–16	----------	Exception.
Apr. 14	79:58	89–11	----------	60, 65	89–11	103, 203	Do.
14	79:58	89–11 (title II)	----------	1157	89–312	----------	Supplemental provision.
June 17	79:131	89–41	----------	133	89–41	7	Termination date.
17	79:131	89–41	3(a)	132	89–41	3(a)	Exception.
28	79:192	89–53	----------	194	89–53	4	Do.
30	79:196	89–57	----------	204	89–58	101(a)(1)	Supplemental provision.
30	79:204	89–58	101(e)	895	89–221	----------	Addition.
30	79:204	89–58	102(c)	285	89–96	----------	Amendment.
30	79:204	89–58	102(c)	614	89–159	----------	Do.
30	79:204	89–58	102(c)	896	89–221	----------	Do.
30	79:204	89–58	102(c)	982	89–256	----------	Do.
July 9	79:213	89–72	----------	216	89–72	6(d), (e)	Nonapplicability.
9	79:213	89–72	----------	1083	89–298	204	Applicability.
9	79:213	89–72	9	217	89–72	9	Exception.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1965							
July 16	79:236	89–75	----------	204	89–58	101(a)(1)	Supplemental provision.
27	79:265	89–90	----------	204	89–58	101(a)(1)	Do.
27	79:282	89–92	----------	284	89–92	8	Exception.
30	79:285	89–96	----------	614	89–159	----------	Amendment. (See also 1965, P.L. 89–58, sec. 102(c).)
30	79:286	89–97	103(a)	333	89–97	103(b)	Nonapplicability.
30	79:286	89–97	302	366	89–97	302(f)(6)	Exception. (See also 1935, P.L. 271, sec. 215.)
Aug. 10	79:451	89–117	404(a)	486	89–117	404(d)	Nonapplicability.
16	79:520	89–128	----------	204	89–58	101(a)(1)	Supplemental provision.
16	79:520	89–128	----------	540	89–128	----------	Exceptions.
26	79:552	89–136	----------	573	89–136	704(d)	Exception.
26	79:552	89–136	401	560, 561	89–136	401	Exceptions.
26	79:552	89–136	508	568, 569	89–136	508	Do.
31	79:589	89–156	----------	204	89–58	101(a)(1)	Supplemental provision.
31	79:589	89–156 (title II)	----------	832, 833	89–199	----------	Supplemental provisions.
31	79:589	89–156	207	834	89–199	201	Applicability.
Sept. 1	79:612	89–158	2(a)	612	89–158	2(b)	Exception.
2	79:615	89–161	----------	616, 617	89–161	2, 3	Applicability.
2	79:620	89–164	----------	204	89–58	101(a)(1)	Supplemental provision.
2	79:620	89–164	----------	634	89–164	----------	Exception.
9	79:667	89–174	----------	669	89–174	5(c)	Do.
9	79:672	89–175	2	673	89–175	2(h)	Nonapplicability.
16	79:793	89–188	101–107	815	89–188	603	Supplemental provision.
16	79:793	89–188	201–203	815	89–188	603	Do.
16	79:793	89–188	301–304	815	89–188	603	Do.
16	79:793	89–188	401–403	815	89–188	603	Do.
16	79:793	89–188	501(a)	814	89–188	508	Exception.
16	79:793	89–188	502(a)–(e)	813	89–188	502(f)	Do.
16	79:793	89–188	611	819	89–188	611(b)	Applicability.
21	79:824	89–195	----------	826	89–195	6(b)	Exception.
21	79:824	89–195	5	826	89–195	5	Nonapplicability.
28	79:844	89–208	----------	844	89–208	----------	Do.
29	79:845	89–209	7(b)(2)	850	89–209	7(b)(2)	Applicability.
29	79:863	89–213	----------	204	89–58	101(a)(1)	Supplemental provision.
30	79:895	89–221	----------	982	89–256	----------	Amendment. (See also 1965, P.L. 89–58, sec. 102(c).)
Oct. 9	79:954	89–243	6	966	89–243	6	Termination date.
9	79:969	89–249	6	971	89–249	6	Nonapplicability.
20	79:992	89–272	201–210	999	89–272	204(d)	Exception.
21	79:1016	89–283	301–304	1020	89–283	302(j)	Do.
22	79:1034	89–286	----------	1035	89–286	4(b), 7	Exemptions.
22	79:1034	89–286	3–5	1034	89–286	2(b)(2)	Applicability.
22	79:1037	89–287	----------	1238	89–329	425(a)(2)	Restriction.
22	79:1037	89–287	9	1042	89–287	9	Do.
22	79:1037	89–287	9	1241	89–329	428(a)(6)	Do.
28	79:1096	89–299	----------	204	89–58	101(a)(1)	Supplemental provision.
28	79:1096	89–299	502	1109	89–299	502	Nonapplicability.

TABLE 1.—*General Legislation*—Continued

Provisions affected				Amendatory provisions			
Date	Statutes vol.: page	Public law	Section	79 Stat.	Public law	Section	Comment
1965							
Oct. 29	79:1111	89–301	9	1118	89–301	9(a), (b)	Applicability.
31	79:1129	89–308	2(a), (b)	1130	89–308	2(c)	Exception.
Nov. 2	79:1165	89–316	----------	204	89–58	101(a)(1)	Supplemental provision.
5	79:1214	89–324	----------	1215	89–324	404	Termination of authority.
8	79:1219	89–329	421–435	1238	89–329	425(a)(2)	Restriction.
8	79:1219	89–329	428	1241	89–329	428(a)(5), (6)	Restrictions.
8	79:1281	89–332	1	1281	89–332	1(d)	Nonapplicability.
8	79:1295	89–336	2(h)	1297	89–336	2(h)	Do.
8	79:1307	89–347	9	1309	89–347	11	Effective date.

TABLE 2.—*Revised Statutes*

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
158–195 (title IV)	669	89–174	6	Applicability.
158	669	89–174	6	Amendment.
165	987	89–261	----------	Repeal.
355	431	89–106	1	Exception.
355	644	89–164	----------	Do.
355	814, 819	89–188	601, 703	Do.
355	869–872	89–213	----------	Exceptions.
355	1006	89–273	----------	Exception.
367	572	89–136	701(11)	Applicability.
367	1047	89–287	14(a)	Do.
367	1246	89–329	432(2)	Do.
2004 (a), (c)	445	89–110	15(a)	Amendment.
2004 (f)–(h)	445	89–110	15(b)	Subsec. (f) repealed; (g), (h) redesignated as (f), (g).
3470	119	89–30	5	Partial revision.
3517	256	89–81	204(a)	Revision.
3526	256	89–81	205	Partial revision.
3528	256	89–81	206	Revision.
3542	257	89–81	207	Amendment.
3550	257	89–81	208	Repeal.
3558	256	89–81	201	Partial revision.
3617	1106	89–299	----------	Exception.
3620(a)–(c)	582	89–145	----------	Part of existing text designated as (a); subsecs. (b), (c) added.
3620(a)	582	89–145	----------	Exception.
3648	45	89–10	401	Do.
3648	492	89–117	705(b)	Do.
3648	526	89–128	----------	Do.
3648	624, 642	89–164	----------	Do.
3648	814, 819	89–188	601, 703	Do.
3648	823	89–193	----------	Do.
3648	894	89–220	8(a)	Do.
3648	906	89–234	3	Do.
3648	1006	89–273	----------	Do.
3648	1135	89–309	----------	Do.
3679	643	89–164	----------	Do.
3679	1122	89–301	15(b)	Do.
3679(a)	1159, 1160	89–313	1, 2	Do.
3679(c)	203	89–57	----------	Do.
3679(c)	535	89–128	----------	Exemption.

TABLE 2.—*Revised Statutes*—Continued

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
3679(c)	875	89–213	612(a)	Exception.
3679(d)(2)	206	89–58	103	Do.
3679(e)	1159, 1160	89–313	1, 2	Do.
3709	45	89–10	401	Do.
3709	276, 277	89–90		Do.
3709	310	89–97	102(a)	Do.
3709	522	89–128		Do.
3709	571	89–136	701(7)	Nonapplicability.
3709	622, 630, 637	89–164		Exception.
3709	880	89–214	1(a)	Do.
3709	894	89–220	8(a)	Do.
3709	906	89–234	3	Do.
3709	1228, 1235	89–329	224(a), 408(a)	Do.
3709	1303	89–343	1	Applicability.
3709	1303	89–343	5	Nonapplicability.
3710	1303	89–343	1	Applicability.
3710	1303	89–343	5	Nonapplicability.
3733	109	89–18		Exception.
3733	872	89–213		Do.
3735	630	89–164		Do.
3735	1303	89–343	5	Nonapplicability.
3750, 3751	119	89–30	2, 3	Amendment.
3753	118	89–30	1(a)	Partial revision.
3754, 3755	119	89–30	1(b), 4	Amendment.
3828	630	89–164		Exception.
4149, 4150	892	89–219	9, 10	Revision.
4153	892	89–219	11	Amendment.
4399–4500	424	89–99	5	Exemption.
4501–4612	424	89–99	4, 5	Exemptions.
5581	517	89–123		Supplemental provision.
D. C.				
425–428	1309	89–347	9(a), 11	Repeal.
432(a)	1011	89–277		Amendment.

TABLE 3.—*Internal Revenue Code of 1939*

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
None				

TABLE 4.—*Internal Revenue Code of 1954*

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
1 *et seq*	169	89–44	811	Exemption.
1 *et seq*	749	89–183	1	Exception.
39, 40	167, 168	89–44	809 (c), (d)(1), (f)	Sec. 39 renumbered as 40; new 39 added.
48(c)(3)(C)(i)	961	89–243	4(m)(1)	Exception.
72(m)(5)(A)(i)	337	89–97	106 (d)(2), (e)	Amendment.
72(m)(7)	337	89–97	106 (d)(2), (e)	Addition.

TABLE 4.—*Internal Revenue Code of 1954*—Continued

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
72(n)(1)(A)(iii)	337	89–97	106 (d)(2), (e)	Amendment.
72(n)(1)(B)(iii)	337	89–97	106 (d)(2), (e)	Do.
72(n)(3)	167, 168	89–44	809 (d)(2), (f)	Do.
79(b)(1)	337	89–97	106 (d)(3), (e)	Do.
213(a)	336, 337	89–97	106 (a), (e)	Revision.
213(b)	336, 337	89–97	106 (b), (e)	Partial repeal.
213(c)	337	89–97	106 (d), (e)	Deletion.
213(e)(1)–(4)	336	89–97	106 (c), (e)	Par. (1) deleted; (2) renumbered as (4); new (1)–(3) added.
213(g)	337	89–97	106(d), (e)	Deletion.
263(a)(3)	964, 965	89–243	4(p)(1), (3)	Revision.
263(d)	964, 965	89–243	4(p)(2), (3)	Addition.
401(d)(4)(B)	337	89–97	106(d)(4), (e)	Amendment.
405(b)(1)(D)(ii)	337	89–97	106(d)(5), (e)	Do.
451(c)	382, 385	89–97	313(b), (f)	Addition.
874(a)	167, 168	89–44	809 (d)(3), (f)	Amendment.
1314(a)(1)(A)	168	89–44	809 (d)(5)(B), (f)	Do.
1401	394, 396	89–97	321 (a), (d)	Revision.
1401(b)	342, 343	89–97	111 (c)(4), (e)	Amendment.
1402	401	89–97	331(a)	Exception.
1402(a)	381	89–97	312 (b), (c)	Amendment.
1402(b)(1)(C)	393, 394	89–97	320 (b)(1), (c)	Do.
1402(b)(1)(D)	393, 394	89–97	320(b)(1), (c)	Addition.
1402(c)	381	89–97	311(b)(2), (c)	Amendment.
1402(c)(3)	395	89–97	321(a)	Exception.
1402(c)(4)	381	89–97	311(b)(2)	Nonapplicability.
1402(c)(5)	381	89–97	311(b)(1), (2)	Revision; nonapplicability.
1402(c)(6)	390, 392	89–97	319(a), (e)	Addition.
1402(e)(1)	381	89–97	311(b)(3), (c)	Amendment.
1402(e)(2)(A)	381	89–97	311(b)(3), (c)	Revision.
1402(e)(2)(B)	411, 412	89–97	341(a), (c)	Amendment.
1402(e)(3)(A)	412	89–97	341(b)	Exception.
1402(e)(3)(D)	411	89–97	341(b), (c)	Addition.
1402(e)(5), (6)	401, 403	89–97	331(a), (d)	Pars. (5), (6) deleted; new (5) added; applicability.
1402(h)	391, 392	89–97	319(c), (e)	Addition.
1481(b)(2)(A)(i)	168	89–44	809(d)(5)(B), (f)	Amendment.
3101	395, 396	89–97	321(b), (d)	Revision.
3101(b)	342, 343	89–97	111(c)(5), (e)	Amendment.
3102(a)	382, 383	89–97	313(c)(1), (2)	Amendment; applicability.
3102(c)	382, 385	89–97	313(c), (f)	Addition.
3111	396	89–97	321(c), (d)	Revision.
3111(b)	343	89–97	111(c)(6), (e)	Amendment.
3121(a)(1)	389	89–97	317(c)(1)	Exception.
3121(a)(1)	393, 394	89–97	320(b)(2), (c)	Amendment.
3121(a)(12)	383, 385	89–97	313(c)(3), (f)	Addition.
3121(b)(6)(C)(iv)	381	89–97	311(b)(4), (c)	Amendment.
3121(b)(7)(C)	388, 390	89–97	317(b), (g)	Addition; nonapplicability.
3121(b)(9)	395, 396	89–97	321(b), (c)	Exception.
3121(b)(13)	381	89–97	311(b)(5), (c)	Amendment.
3121(k)(1)(B)(iii)	386	89–97	316(a)	Revision.
3121(k)(1)(H)	386	89–97	316(b)	Addition.
3121(q)	383, 385	89–97	313(c)(4), (f)	Do.
3122	393, 394	89–97	320(b)(3), (c)	Amendment.
3125(a), (b)	393, 394	89–97	320(b)(4), (c)	Do.
3125(c)	389	89–97	317(c)(1)–(3)	Addition.
3201	335, 342	89–97	105(b)(1), 111 (c)(1)	Amendment.
3201	861, 862	89–212	4, 6	Do.
3201(1)–(5)	861, 862	89–212	5(a), 6	Pars. (1), (2) deleted; new (1)–(5) added.
3202	861, 862	89–212	4, 6	Amendment.
3202(a)	858, 862	89–212	2(a), 6	Amendment; applicability.
3202(c)	858, 862	89–212	2(a)(2), 6	Addition.

TABLE 4.—*Internal Revenue Code of 1954*—Continued

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
3211	335, 342	89–97	105(b)(2), 111 (c)(2)	Amendment.
3211	861, 862	89–212	4, 6	Do.
3211(1)–(5)	861, 862	89–212	5(b), 6	Pars. (1), (2) deleted; new (1)–(5) added.
3221	861, 862	89–212	4, 6	Amendment.
3221(a)(1)–(5)	862	89–212	5(c), 6	Pars. (1), (2) deleted; new (1)–(5) added.
3221(b)	335, 342	89–97	105(b)(3), 111(c)(3)	Amendment.
3231(e)(1)	859, 862	89–212	2(b)(1), 6	Do.
3231(e)(3)	859, 862	89–212	2(b)(2), 6	Addition.
3231(h)	859, 862	89–212	2(b)(3), 6	Do.
3401(a)(16)	384, 385	89–97	313(d)(2), (f)	Do.
3401(f)	383, 385	89–97	313(d),(f)	Do.
3402(a)	384, 385	89–97	313(d)(3),(f)	Amendment.
3402(h)(3)	384, 385	89–97	313(d)(4), (f)	Do.
3402(k)	384, 385	89–97	313(d)(5), (f)	Addition.
3402(k)	859, 862	89–212	2(c), 6	Amendment.
4001–4003	136, 155	89–44	101(a), (b)(1), 701(a)(1)	Repeal.
4011–4013	136, 155	89–44	101(a), (b)(1), 701(a)(1)	Do.
4021, 4022	136, 155	89–44	101(a), (b)(1), 701(a)(1)	Do.
4031	136, 155	89–44	101(a),(b)(1), 701(a)(1)	Do.
4041(b)	159	89–44	802(a)(2), (d)(2)	Amendment.
4051–4053	136, 155	89–44	101(b)(2), 701(a)(1)	Repeal.
4055	136, 155	89–44	101(b)(3), 701(a)(1)	Amendment.
4057(a)	136, 155	89–44	101(b)(4), 701(a)(1)	Do.
4061	157, 158	89–44	801(a), (e)	Nonapplicability.
4061(a)	157, 158	89–44	801(a), (d)(1), (e)	Do.
4061(a)(1)	137, 155	89–44	201(c), 701(a)(1)	Amendment.
4061(a)(2)	136, 155	89–44	201(a), 701(a)(1)	Revision.
4061(b)	137, 155	89–44	201(b)(1), 701(a)(1)	Amendment.
4061(b)	137, 155	89–44	201(b)(2), 701(a)(2)	Revision.
4063(a)	157, 158	89–44	801 (a), (e)	Do.
4082(b)	159	89–44	802(a)(1), (d)(1)	Do.
4082(d)(2)	159	89–44	802(b)(1), (d)(1)	Amendment
4091	137, 155	89–44	202(a), 701(a)(2)	Revision.
4094	139, 155	89–44	202 (c)(1), 701(a)(2)	Addition.
4101	159	89–44	802(b)(2), (5), (d)(1)	Revision.
4111	139, 155	89–44	203, 701(a)(1)	Repeal.
4121	139, 155	89–44	203, 701(a)(1)	Do.
4131	139, 155	89–44	203, 701(a)(2)	Do.
4141–4143	140, 155	89–44	204, 701(a)(1)	Do.
4151	140, 155	89–44	204, 701(a)(1)	Do.
4161	140, 155	89–44	205(a), 701(a)(1)	Revision.

TABLE 4.—*Internal Revenue Code of 1954*—Continued

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
4171–4173	140, 155	89–44	205(b), 701(a)(1)	Repeal.
4191, 4192	140, 155	89–44	206, 701(a)(1)	Do.
4201	140, 155	89–44	206, 701(a)(1)	Do.
4211	140, 155	89–44	206, 701(a)(1)	Do.
4216(b)(2)	140, 141, 155	89–44	208(a), 701(a) (1), (2)	Amendment.
4216(b)(3)	141, 155	89–44	208(b), 701(a) (1), (2)	Repeal.
4216(c)	140, 155	89–44	207(a), 701(a)(2)	Amendment.
4216(e)(1)	140, 155	89–44	207(b), 701(a)(2)	Do.
4216(e)(2)	140, 155	89–44	207(b), 701(a)(2)	Revision.
4216(g)	158	89–44	801 (b), (e)	Addition.
4218(a)	156	89–44	701(a)(4)	Applicability.
4218(b)	141, 155	89–44	208(c) (1), (2), 701(a) (1), (2)	Amendment.
4218(c)	141, 155	89–44	208(c) (3), (4), 701(a) (1), (2)	Do.
4221(d)(6)	158	89–44	801 (c), (e)	Do.
4221(d)(6)(A)	156	89–44	701(a)(4)	Applicability.
4221(d)(6)(B)	141, 155	89–44	208(d)(1), 701(a) (1), (2)	Amendment.
4221(e)(2)	141, 155	89–44	208(d) (2)–(5), 701(a) (1), (2)	Do.
4221(e)(3)	141, 155	89–44	208(d)(6), 701(a) (1), (2)	Deletion.
4221(e)(5)	158	89–44	801 (d)(1), (e)	Addition.
4221(f)	141, 155	89–44	208(d)(7), 701(a) (1), (2)	Deletion.
4222(a)	159	89–44	802 (c), (d)(1)	Nonapplicability.
4222(b)(4)	141, 155	89–44	208(e), 701 (a)(1), (2)	Deletion.
4222(b)(5)	159	89–44	802 (c), (d)(1)	Addition.
4224	136, 155	89–44	101(b)(5), 701(a)(1)	Repeal.
4227(2)	141, 155	89–44	208(f), 701(a) (1), (2)	Amendment.
4231–4234	145, 156	89–44	301, 701(b)(1)	Repeal.
4241–4243	145, 156	89–44	301, 701(b)(1)	Do.
4251–4254	145, 156	89–44	302, 701(b)(2)	Revision; applicability.
4251	146, 147, 156	89–44	302, 701(b)(2)	Exceptions.
4251(a)	145	89–44	302	Termination of tax.
4251(b)	157	89–44	701(b)(2)(B)	Repeal.
4261	148, 157	89–44	303(a), 701(b)(3)	Amendment.
4262(c)(3)	160	89–44	803 (a), (b)	Do.
4286, 4287	148, 157	89–44	304, 701(b)(4)	Repeal.
4291	148, 156	89–44	305(a), 701(b)(1)	Revision.
4301–4305	148, 157	89–44	401(a), 701(c)(1)	Repeal.
4311–4315	148, 157	89–44	401(a), 701(c)(1)	Do.
4321–4324	148, 157	89–44	401(a), 701(c)(1)	Do.
4331–4333	148, 157	89–44	401(a), 701(c)(1)	Do.
4341–4346	148, 157	89–44	401(a), 701(c)(1)	Do.
4351–4354	148, 157	89–44	401(a), 701(c)(1)	Do.
4361	148, 157	89–44	401(b), 701(c)	Amendment; termination of tax.
4371	160	89–44	804 (b), (c)	Amendment.

TABLE 4.—*Internal Revenue Code of 1954*—Continued

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
4374	160	89–44	804 (a) (1)–(3), (c)	Amendment; exception.
4381	148, 157	89–44	401(c), 701(c)	Repeal.
4402(2)	149, 157	89–44	405(a), 701(c)	Amendment.
4402(3)	170	89–44	813	Addition.
4451–4457	148, 157	89–44	402, 701(c)(2)	Repeal.
4461(a)	148, 157	89–44	403(a), 701(c)(2)	Deletion; new subsec. (a) added.
4461(b)	148, 157	89–44	403(a), 701(c)(2)	Partial revision.
4462	149, 157	89–44	403(b), (c), 701(c)	Revision.
4471–4474	149, 157	89–44	404, 701(c)	Repeal.
4501(b)	1280, 1281	89–331	13, 14	Amendment.
4901(a)	149, 157	89–44	405(b), 701(c)	Do.
4905(b)(1)	149, 157	89–44	405(c), 701(c)	Do.
4911–4920	965	89–243	5(a)	Nonapplicability.
4911	956, 957, 965	89–243	4(a)(1), (c)(1), 5(b)	Exception.
4911(a)	954	89–243	3(a) (1), (c)	Amendment.
4911(b)(2)	954	89–243	3(b), (c)	Do.
4911(d)	954	89–243	2	Do.
4912(b)(2)(B)	963, 965	89–243	4(m)(3), (q)	Do.
4914(a)(2)	149, 157	89–44	405(d), 701(c)	Do.
4914(b)(2)	958, 959	89–243	4 (f)(1), (3)	Do.
4914(b)(6)	956, 965	89–243	4 (a)(2), (q)	Do.
4914(b)(10)	957, 965	89–243	4 (b)(4), (q)	Revision.
4914(b)(11)	958, 965	89–243	4 (c)(2), (q)	Do.
4914(b) (13), (14)	958, 965	89–243	4 (d), (e), (q)	Addition.
4914(c)(6), (7)	956, 965	89–243	4 (a)(1), (q)	Par. (6) redesignated as (7); new (6) added.
4914(e)(3)(B)	959, 965	89–243	4(g), (q)	Revision.
4914(e)(3)(D)	954	89–243	3(a)(2), (c)	Amendment.
4914(e)(3)(E)(ii)	954	89–243	3 (a)(3), (c)	Do.
4914(f)	960	89–243	4 (h)(1), (2)	Do.
4914(g)(1)(A)–(C)	957	89–243	4(b)(2)	Limitations.
4914(g)(1)(C)	957, 965	89–243	4 (b)(1), (3), (q)	Addition.
4914(g)(2)	957, 965	89–243	4 (b)(2), (q)	Revision.
4914(h)	957, 965	89–243	4 (c)(1), (q)	Do.
4914(h)(1)	958	89–243	4(c)(1)	Limitations.
4914(j)(1)(A)	956, 965	89–243	4 (a)(3)(A), (q)	Amendment.
4914(j)(1)(A)(iii)	956, 965	89–243	4 (a)(3)(C), (q)	Do.
4914(j)(1)(D)	956, 965	89–243	4 (a)(3)(B), (q)	Do.
4914(j)(2)	959	89–243	4 (f)(2), (3)	Do.
4916(c)(1)	960, 965	89–243	4(i), (q)	Do.
4917(a)	960, 965	89–243	4 (j)(1), (q)	Do.
4917 (d), (e)	960, 965	89–243	4 (j)(2), (k), (q)	Addition.
4919(a)(3)	961, 965	89–243	4 (l)(1), (q)	Revision.
4919(b)(3)	961, 965	89–243	4 (l)(2), (q)	Heading amended.
4919(b)(3)(B)	961, 965	89–243	4 (l)(3), (q)	Amendment.
4920(a)(5)	962, 963	89–243	4 (m)(2)(A), (B)	Do.
4920(a)(5A)	961, 965	89–243	4 (m)(1), (q)	Addition.
4920(a)(7)(B)(iv)	954	89–243	3 (a)(4), (c)	Amendment.
4920(a)(8)	963, 965	89–243	4 (n)(1), (q)	Deletion.
4920(b)–(d)	963, 965	89–243	4 (n) (2), (3), (q)	Subsecs. (b), (c) redesignated as (c), (d); new (b) added.
4931	965	89–243	5(a)	Nonapplicability.
4931 (a), (b)	955, 956	89–243	3 (e)(1)(B), (D), (2)	Amendment.
4931(c)–(e)	955, 956	89–243	3 (e)(1)(A), (2)	Subsec. (c) deleted; (d), (e) redesignated as (c), (d).

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TABLE 4.—*Internal Revenue Code of 1954*—Continued

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
4931(c)	955, 956	89–243	3(e)(1)(C), (2)	Redesignated subsec. (c) amended.
4931(c)	964, 965	89–243	4(o)(2), (q)	Former subsec. (c) amended.
4931(c)(1)	956, 965	89–243	4(a)(4), (q)	Redesignated subsec. (c) amended.
4931(c)(2)	964, 965	89–243	4(o)(1), (q)	Do.
5001(a)(1), (3)	150, 157	89–44	501(a), 701(d)	Amendment.
5002(a)(12)	164	89–44	807(a), (c)	Addition.
5004(c)	161, 162	89–44	805(f)(1), (g)(2)	Amendment.
5008(d)(2)	160, 162	89–44	805(a), (g)(1)	Do.
5021	161, 162	89–44	805(b), (g)(2)	Nonapplicability.
5022	150, 157	89–44	501(b), 701(d)	Amendment.
5025(e)(3)	161, 162	89–44	805(f)(2), (g)(2)	Do.
5025(f)(1), (2), (4)	161, 162	89–44	805(f)(3)–(5), (g)(2)	Do.
5025(k)–(m)	161, 162	89–44	805(b), (g)(2)	Subsecs. (k), (l) redesignated as (l), (m); new (k) added.
5041(a)	162, 164	89–44	806(a), (d)(1)	Amendment.
5041(b)(1)–(5)	150, 157	89–44	501(c), 701(d)	Do.
5051(a)	150, 157	89–44	501(d), 701(d)	Do.
5053(a)	164	89–44	807(b), (c)	Do.
5062(c)(1)	161, 162	89–44	805(f)(6), (g)(1)	Do.
5063	150, 157	89–44	501(e), 701(d)	Repeal.
5083(14), (15)	161, 162	89–44	805(f)(7), (g)(2)	Par. (14) deleted; new (14), (15) added.
5215(a)	161, 162	89–44	805(c), (g)(1)	Partial revision.
5223(c)–(e)	161, 162	89–44	805(d), (f)(8), (9), (g)(2)	Subsecs. (c), (d) redesignated as (d), (e); new (c) added.
5223(d)	162	89–44	805(f)(10), (g)(2)	Redesignated subsec. (d) amended.
5234(a)(1)(B)	162	89–44	805(f)(11), (g)(2)	Amendment.
5382(b)(2)	164	89–44	806(c)(1), (d)(2)	Do.
5383	162, 164	89–44	806(b)(1), (d)(2)	Revision.
5384(a)	163, 164	89–44	806(b)(2)(A), (d)(2)	Deletion; new subsec. (a) added.
5384(b)	164	89–44	806(c)(3), (d)(2)	Heading amended.
5384 (b)(1)	163, 164	89–44	806(b)(2)(B), (d)(2)	Deletion; new par. (1) added.
5384(b)(2)	163, 164	89–44	806(b)(2)(C), (c)(2)	Amendment.
5384(b)(2)(B)	163, 164	89–44	806(b)(2)(D), (d)(2)	Deletion; new subpar. (B) added.
5384(b)(2)(C)	163, 164	89–44	806(b)(2)(E), (d)(2)	Amendment.
5385(a)	164	89–44	806(c)(4), (d)(2)	Do.
5392(c)	163, 164	89–44	806(b)(3)(A), (d)(2)	Do.
5392(g)	163, 164	89–44	806(b)(3)(B), (d)(2)	Addition.
5608(b)	161, 162	89–44	805(e), (g)(1)	Amendment.
5701–5763	150	89–44	502(b)(1), 701(d)	Chapter heading amended.
5701(a)–(f)	150, 157	89–44	502(a), (b), 701(d)	Subsec. (a) deleted; (b)–(f) redesignated as (a)–(e).
5701(c)(1)	150, 157	89–44	501(f), 701(d)	Amendment.
5702(a)–(o)	151, 157	89–44	502(b)(3)(A), 701(d)	Subsecs. (a), (l), (m) deleted; (b)–(k), (n), (o) redesignated as (a)–(l).

TABLE 4.—*Internal Revenue Code of 1954*—Continued

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
5702(a), (b)	164, 165	89-44	808(a), (d)(1)	Redesignated subsecs. (a), (b) deleted; new (a), (b) added.
5702(c)	151, 157	89-44	502(b)(3)(B), 701(d)	Redesignated subsec. (c) amended.
5702(d)	151, 157	89-44	502(b)(3)(C), 701(d)	Redesignated subsec. (d) deleted; new (d) added.
5704(c)-(e)	151, 157	89-44	502(b)(4)(A), 701(d)	Subsec. (c) deleted; (d), (e) redesignated as (c), (d).
5704(c)	151, 157	89-44	502(b)(4)(B), 701(d)	Redesignated subsec. (c) deleted; new (c) added.
5705(a)	164, 165	89-44	808(b)(1), (c), (d)(2)	Amendment.
5705(c)	164, 165	89-44	808(b)(2), (d)(2)	Do.
5707	150, 157	89-44	501(g), 701(d)	Repeal.
5711(a)	151, 157	89-44	502(b)(2), (5), (6), 701(d)	Amendment.
5731, 5732 (Subch. D)	151, 157	89-44	502(b)(2), (7), 701(d)	Deletion.
5741 (Subch. E)	151, 157	89-44	502(b)(2), (7)-(9), 701(d)	Subch. E redesignated as D and amended.
5751-5753 (Subch. F)	151, 157	89-44	502(b)(2), (7), 701(d)	Subch. F redesignated as E.
5753	152, 157	89-44	502(b) (10), (11), 701(d)	Revision.
5761-5763 (Subch. G)	151, 157	89-44	502(b) (2), (7), 701(d)	Subch. G redesignated as F.
5762(a)(1)	152, 157	89-44	502(b)(12)(A), 701(d)	Amendment.
5762(a)(2)	152, 157	89-44	502(b)(12)(B), 701(d)	Deletion; new par. (2) added.
5763(b), (c)	152, 157	89-44	502(b)(13), 701(d)	Deletion; new subsecs. (b), (c) added.
5801-5862	788	89-184		Exception.
6011(c)	136, 155	89-44	101(b)(6), 701(a)(1)	Repeal.
6011(d)(1)	955	89-243	3(d)(1)	Exception.
6040(6)	148	89-44	305(b)	Deletion.
6051(a)	384, 385	89-97	313 (e)(1), (f)	Amendment.
6051(c)	337	89-97	107	Do.
6053	384, 385	89-97	313(e) (2)(A), (D), (f)	Addition.
6053(a), (b)	859, 862	89-212	2(d)(1), (2), 6	Amendment.
6076	955	89-243	3(d)(2)	Exception.
6103(a)(2)	153, 157	89-44	601(a), 701(e)	Amendment.
6201(a)(4)	168	89-44	809 (d)(4), (f)	Addition.
6205(a)(4)	389, 390	89-97	317 (d), (g)	Do.
6206	139, 155	89-44	202(c)(2), 701(a)(2)	Amendment.
6211(b)(4)	168	89-44	809 (d)(5), (f)	Addition.
6213(e)(3)	168	89-44	809 (d)(4), (f)	Do.
6334(a)(5)	170	89-44	812	Do.
6401	402	89-97	331(a)	Nonapplicability.
6401(b)	168	89-44	809 (d)(6), (f)	Subsec. (b) deleted; new (b) added.
6412(a)(1)	141, 155	89-44	209(a), 701(a)(2)	Revision.
6412(e)	144, 155	89-44	209(d), 701(a)(1)	Repeal.
6413(a)(4)	389, 390	89-97	317 (e), (g)	Addition.

TABLE 4.—*Internal Revenue Code of 1954*—Continued

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
6413(c)(1)	393, 394	89–97	320(b)(5), (c)	Amendment.
6413(c)(2)(A)	394	89–97	320(b)(6), (c)	Do.
6413(c)(2)(F)	390	89–97	317(f) (1), (2), (g)	Addition.
6415	153, 157	89–44	601(b)(1), 701(e)	Amendment.
6415(a)	153, 157	89–44	601(b)(2), 701(e)	Do.
6416(a)(1)	153, 157	89–44	601(c)(1), 701(e)	Do.
6416(a)(1)(A)	153, 157	89–44	601(c)(2), 701(e)	Do.
6416(a)(1)(B)	153, 157	89–44	601(c)(3), 701(e)	Revision.
6416(a)(1)(C), (D)	153, 157	89–44	601(c)(4), (5), 701(e)	Amendment.
6416(a)(3)(A), (B)	153, 157	89–44	601(c)(6), 701(e)	Deletion.
6416(a)(3)(C), (D)	153, 157	89–44	601(c)(6), 701(e)	Amendment.
6416(b)(1)	153, 157	89–44	601(c)(7), 701(e)	Do.
6416(b)(2)(F)	153, 157	89–44	601(c)(8), 701(e)	Revision.
6416(b)(2)(N)–(Q)	153, 157	89–44	601(c)(9), 701(e)	Deletion.
6416(b)(2)(R)	158	89–44	801(d)(2), (e)	Addition.
6416(b)(3)(A)	153, 157	89–44	601(c)(10), 701(e)	Amendment.
6416(b)(3)(B), (C)	153, 157	89–44	601(c)(10), 701(e)	Revision.
6416(b)(3)(D)	153, 157	89–44	601(c)(10), 701(e)	Deletion.
6416(b)(4)	154, 157	89–44	601(c)(11), 701(e)	Revision.
6416(b)(5)	140, 155	89–44	207(c), 701(a)(2)	Amendment.
6416(b)(5)	154, 157	89–44	601(c)(12), 701(e)	Do.
6416(c)	154, 157	89–44	601(c)(13), 701(e)	Revision.
6416(d)	154, 157	89–44	601(c)(14), 701(e)	Deletion.
6416(g)	154, 157	89–44	601(c)(15), 701(e)	Amendment.
6418(a)	1278, 1281	89–331	9(b), 14	Do.
6420(a)	165, 168	89–44	809 (a)(1), (f)	Do.
6420(b)	165, 168	89–44	809 (a)(2), (f)	Revision.
6420(d)	166, 168	89–44	809 (a)(3), (f)	Amendment.
6420 (h), (i)	165, 168	89–44	809 (a)(1), (f)	Subsec. (h) redesignated as (i); new (h) added.
6421 (a), (b)	166, 168	89–44	809 (b)(1), (f)	Amendment.
6421 (c)(1), (2)	166, 168	89–44	809 (b)(2), (f)	Do.
6421(c)(3)	166, 168	89–44	809 (b)(2), (f)	Addition.
6421(e)(1)	167, 168	89–44	809 (b)(3), (f)	Amendment.
6421 (i), (j)	166, 168	89–44	809 (b)(1), (f)	Subsec. (i) redesignated as (j); new (i) added.
6421(i)(1)	166, 168	89–44	809 (b)(1)(B), (f)	Nonapplicability.
6424	137, 155	89–44	202(b), 701(a)(2)	Addition.
6501(b)(4)	169	89–44	810 (a), (c)	Do.
6501(e)(3)	169	89–44	810 (b), (c)	Do.
6511(e)(1)	1278, 1281	89–331	9(c), 14	Heading amended.

TABLE 4.—*Internal Revenue Code of 1954*—Continued

Affected section	Amendatory provisions			
	79 Stat.	Public law	Section	Comment
6652(b)	385	89–97	313 (e)(2)(B), (f)	Amendment.
6652 (c), (d)	385	89–97	313 (e)(3), (f)	Subsec. (c) redesignated as (d); new (c) added.
6652(c)	859, 862	89–212	2 (e), 6	Amendment.
6674	385	89–97	313 (e)(2)(C), (f)	Do.
6675 (a), (b)(1)	139, 155	89–44	202(c)(3), 701(a)(2)	Do.
6802(1)	154, 157	89–44	601(d)(1), 701(e)	Do.
6802(3)	154, 157	89–44	601(d)(2), 701(e)	Deletion.
6806(b)	155, 157	89–44	601(e), 701(e)	Heading amended.
6808 (1), (9)	155, 157	89–44	601(f), 701(e)	Deletion.
7012(d)	155, 157	89–44	601(g), 701(e)	Do.
7103(d)(3)(F)	159	89–44	802 (b)(3), (d)(1)	Do.
7210	139, 155	89–44	202(c)(4), 701(a)(2)	Amendment.
7232	159	89–44	802(b) (4), (6)(d)(1)	Do.
7272(b)	155, 157	89–44	601(h), 701(e)	Do.
7275	155, 157	89–44	601(i), 701(e)	Repeal.
7321–7329	255	89–81	106(b)	Applicability.
7326(a)	155, 157	89–44	601(j), 701(e)	Amendment.
7602(1)–(3)	138	89–44	202(b)	Applicability.
7603–7605	139, 155	89–44	202(c)(4), 701(a)(2)	Amendment.
7652(a)(3)	164, 165	89–44	808 (b)(3), (d)(1)	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, 6, 9, 10, 13, 14, 17, 18, 23, 28, 32, 35, 37, 38, and 39.)

Provisions affected		Amendatory provisions			
Title	Section	79 Stat.	Public law	Section	Comment
3	19(d)(1)	669	89–174	6(a)	Amendment.
10	701(d)	586	89–151	3	Repeal.
10	717(b)	1311	89–348	1(12)	Do.
10	1040	548	89–132	9	Addition (relating to free postage).
10	1040	579	89–140		Addition (relating to transportation of dependent patients).
10	1040	1164	89–315	3	Repeal (as added 79 Stat. 548).
10	1085	989	89–264		Revision.
10	1124	830	89–198		Addition.
10	1401	547	89–132	6	Amendment.
10	1401a(b)	547	89–132	5(b)	Revision.
10	1485(a)	585	89–150		Do.
10	2002	615	89–160		Addition.
10	2101–2111	173	89–51	1	Applicability, with exceptions.
10	2107(b)(3), (f)	173	89–51	1	Exception.
10	2109(b)	173	89–51	2	Amendment.
10	2231–2238	819	89–188	701	Applicability.
10	2313(b)	815	89–188	604	Exception.
10	2353	999	89–272	204(b)	Applicability; exception.

TABLE 5(a).—*Positive Law Titles of United States Code*—Continued

Provisions affected		Amendatory provisions			
Title	Section	79 Stat.	Public law	Section	Comment
10	2354	601	89–156		Applicability; exception.
10	2575(a)	581	89–143		Amendment.
10	2634	425	89–101	1, 3	Revision.
10	2674(a)	819	89–188	613	Amendment.
10	2732(a)	789, 790	89–185	1, 4	Amendment; supplemental provision.
10	2733	211	89–65		Exception.
10	2735	790	89–185	4	Do.
10	3036(b)	1050	89–288	1	Amendment.
10	3962(a)	1050	89–288	2	Revision.
10	4774(d)	109	89–18		Exception.
10	4774(d)	814, 819	89–188	601, 703	Do.
10	4774(d)	872	89–213		Do.
10	4774(d)	1006	89–273		Do.
10	4802(c)	212	89–67		Amendment.
10	4803(c)	212	89–67		Do.
10	5133(b)	1050	89–288	3	Revision.
10	5137(a)	1050	89–288	4	Amendment.
10	5899(a), (b)	1010	89–275		Do.
10	7304, 7305	1214	89–324	203	Exception.
10	7306(b)	1311	89–348	1(10)	Repeal.
10	7307	1214	89–324	101, 201, 301	Exceptions.
10	7541a	990	89–266		Addition.
10	7622(c)	212	89–67		Amendment.
10	7623(c)	212	89–67		Do.
10	8031(c)	1312	89–348	2(3)	Do.
10	8036	1050	89–288	5	Addition.
10	8074(c)	129	89–37	306	Do.
10	8202(a)	611	89–157		Temporary amendment.
10	8373	662	89–172		Addition.
10	8962(a)	1050	89–288	6	Revision.
10	9774	870, 871	89–213		Exceptions.
10	9774(d)	109	89–18		Exception.
10	9774(d)	814, 819	89–188	601, 703	Do.
10	9774(d)	872	89–213		Do.
10	9802(c)	212	89–67		Amendment.
10	9803(c)	212	89–67		Do.
14	86	822	89–191		Revision.
14	336	820	89–189	1	Addition.
14	490(a)	789, 790	89–185	2, 4	Amendment; exception; supplemental provision.
14	755(e)	834	89–200		Revision.
17	211	1072	89–297	1	Amendment.
17	215	1072	89–297	2	Revision.
18	35(a)	210	89–64		Do.
18	202–209	10	89–4	108(d)	Applicability.
18	202–209	569	89–136	508(d)	Do.
18	203, 205	53	89–10	507(g)(1)	Do.
18	207–209	53	89–10	507(g)(1)	Do.
18	337	257	89–81	212	Addition.
18	485	257	89–81	211	Revision.
18	751, 752	675	89–176	3	Amendment.
18	831	285	89–95		Partial revision.
18	1001	973, 977	89–253	5, 26(b)	Applicability.
18	1114	234, 235	89–74	8(b), 11	Amendment.
18	1751	580	89–141	1, 3	Addition.
18	1952(b)(2)	212	89–68		Revision.
18	3056	791	89–186		Amendment.
18	3056	890	89–218		Do.
18	3486(c)	581	89–141	2	Do.
18	3656	1121	89–301	12(a)	Supplemental provision.
18	4082	674	89–176	1, 2	Revision.
18	5003(d)	990	89–267	1	Addition.
23	101 *et seq*	10, 11	89–4	201(a)	Applicability.
23	131	1028	89–285	101, 102	Revision.

TABLE 5(a).—*Positive Law Titles of United States Code*—Continued

Provisions affected		Amendatory provisions			
Title	Section	79 Stat.	Public law	Section	Comment
23	131 (b), (d)	1028, 1029	89–285	101	Nonapplicability.
23	135	578	89–139	4	Addition.
23	136	1030–1032	89–285	201, 202	Addition; exceptions.
23	136(b)	1031	89–285	201	Nonapplicability.
23	319	1032	89–285	301	Revision.
28	113(a)	1186	89–319		Amendment.
28	121	951	89–242	1(a)	Revision.
28	133	951	89–242	1(c)	Amendment.
28	507(b)	572	89–136	701(11)	Applicability.
28	507(b)	1047	89–287	14(a)	Do.
28	507(b)	1246	89–329	432(a)(2)	Do.
28	508	1122	89–301	15(a)	Supplemental provision.
28	603	1121	89–301	12(a)	Do.
28	604(a)(5)	1121, 1122	89–301	12(a)	Do.
28	671–675	1121	89–301	12(a)	Do.
28	753(b)	619	89–163		Partial revision.
28	753(e)	1122	89–301	12(c)	Amendment.
28	753(f)	647	89–167		Revision.
28	755	1012	89–281		Amendment.
28	1346(a)	209	89–63	2	Exception.
28	1446(b)	887	89–215		Revision.
28	1825	618, 619	89–162		Amendment.
28	1871	645	89–165		Revision.
28	2671–2680	1258	89–329	515(c)	Applicability.
28	2673	1310	89–348	1(1)	Repeal.
28	2677	1156	89–311	6(a)	Applicability.
28	2679	572	89–136	701(11)	Do.
28	2679	1047	89–287	14(a)	Do.
28	2679	1246	89–329	432(2)	Do.
32	107	864, 865, 868	89–213		Exceptions.
35	41	259	89–83	2	Applicability.
35	41(a)1-10	259, 261	89–83	1, 7(a)–(c)	Revision.
35	41(c)	259	89–83	2	Addition.
35	112	261	89–83	9	Amendment.
35	151	260, 261	89–83	4, 6, 7(a),(c)	Revision.
35	154	261	89–83	5	Amendment.
35	266	261	89–83	8	Repeal.
35	282	261	89–83	10	Amendment.
37	203(a)	545	89–132	1	Revision.
37	207(f)	820	89–189	2	Addition.
37	209(a), (b)	173	89–51	3	Amendment.
37	301(a)(2)	1011	89–278		Do.
37	301(a)(12)	585	89–149	1	Addition.
37	301(c), (f)	585	89–149	2, 3	Amendment.
37	308(g)	547	89–132	3	Addition.
37	310(a)	547	89–132	4	Amendment.
37	405a	116	89–26	1	Addition.
37	406(h)(2)	425	89–101	2, 3	Revision.
37	407(a)	117	89–26	1(3)	Amendment.
37	407(b)(3)	117	89–26	1(4)	Addition.
37	411(a)	117	89–26	1(5)	Amendment.
37	424(f)	820	89–189	3	Addition.
37	501(a)(1), (d)	586	89–151	1, 2	Revision.
37	1006(c)	117	89–26	1(6)	Amendment.
37	1006(g)	117	89–26	1(6)	Addition (relating to dislocation allowance).
37	1006(g)	823	89–193		Addition (relating to payment before end of pay period).
37	1008	546	89–132	2	Addition.
38	101	887	89–214	3(d)	Exception.
38	101(4)(C)	1155	89–311	2(c)	Amendment.
38	106(e)	1156	89–311	5	Addition.
38	112	264	89–88		Do.

TABLE 5(a).—*Positive Law Titles of United States Code*—Continued

Provisions affected		Amendatory provisions			
Title	Section	79 Stat.	Public law	Section	Comment
38	211(a)	886	89–214	1(b)	Amendment.
38	235	1110, 1111	89–300	1(c), (d)	Revision; savings provision.
38	236	1110	89–300	1(a), (b)	Addition.
38	314(a)–(o)	1154	89–311	1(a)	Amendment.
38	314(o), (p)	1155	89–311	3(d), (e)	Do.
38	314(r), (s)	1154	89–311	1(a)	Do.
38	315	1155	89–311	2(b)	Exception.
38	315(a), (b)	576	89–137	1(b)	Designation "(a)" deleted; subsec. (b) deleted.
38	315(1)(A)–(H)	1154	89–311	2(a)	Amendment.
38	315(1)(I)	1155	89–311	2(b)	Addition.
38	360	1155	89–311	3(a)–(c)	Amendment.
38	411	548	89–152	8	Savings provision.
38	414(c)	1155	89–311	2(c)(2)	Amendment.
38	560(b)	1156	89–311	4	Do.
38	725(b)(8)	130	89–40	1(1)	Do.
38	725(c)	130	89–40	1(2)	Do.
38	725(d)(1)	130	89–40	1(3)	Revision.
38	725(d)(2), (3)	131	89–40	1(4), (5)	Amendment.
38	765–776 (Subch. III).	880, 886	89–214	1(a), 2	Addition. (Former Subch. III redesignated as IV.)
38	781–788	880, 886	89–214	1(a), 2	Redesignated as Subch. IV.
38	782	883	89–214	1(a)	Exception.
38	1502	577	89–138		Time extension.
38	1502(c)(1)–(4)	578	89–138	2(2)	Pars. (1)–(3) deleted; (4) redesignated as subsec. (c).
38	1502(c)(2)	578	89–138	3	Savings provision.
38	1502A	578	89–138	2(1), (3)	Deletion.
38	1503	577, 578	89–138	1, 2	Addition (former sec. 1503 redesignated as 1511).
38	1504(b)–(d)	576	89–137	1 (a), (c)	Subsec. (b) revised; (c) deleted; (d) redesignated as (c); savings provision.
38	1511	577, 578	89–138	1, 2	Former sec. 1503 redesignated as 1511.
38	1701(a)(1)	896	89–222	3	Amendment.
38	1701(a)(1)	1313	89–349	1 (a), (b)	Do.
38	1701(a)(9)(A)	1313	89–349	1(c)	Deletion.
38	1701(d)	1313	89–349	1(d)	Amendment.
38	1712	1313	89–349	2	Time extension.
38	1732 (a), (b)	896	89–222	1	Amendment.
38	1742(a)	896	89–222	2	Do.
38	1804(e)	473	89–117	217(b)	Addition.
38	1816 (a), (b)	460	89–117	107(f)	Existing text designated as (a); subsec. (b) added.
38	2101–2105	173	89–50	1 (a), (b), (d)	Repeal; effective date.
38	2104	173	89–50	2	Amendment; exception.
38	4107	1117	89–301	7	Revision.
38	4116	1156, 1157	89–311	6 (a)–(c)	Addition.
38	5001(a) (2), (3)	1157	89–311	8	Par. (2) redesignated as (3) and amended; new (2) added.
38	5033(c)	1157	89–311	7(a)	Repeal.
38	5034(1)	1157	89–311	7(b)	Amendment.
38	5035(b) (3)–(5)	1157	89–311	7(a)	Par. (3) repealed; (4), (5) redesignated as (3), (4).
39	2234(a)	1312	89–348	1(23)	Partial repeal.
39	2332	1311	89–348	1(18)	Repeal.
39	3107	1116	89–301	6	Addition.
39	3541(d)(3)	449	89–116	1(a)	Amendment.
39	3541(d)(6)	449	89–116	1(a)	Addition.
39	3542(a)	1113	89–301	4(a)	Revision.
39	3543(a)	1113	89–301	4(b)	Do.
39	3544(a)	1113	89–301	4(c)	Do.
39	3544(b)	450	89–116	2, 3(c)	Amendment; supplemental provision.

TABLE 5(a).—*Positive Law Titles of United States Code*—Continued

Provisions affected		Amendatory provisions			
Title	Section	79 Stat.	Public law	Section	Comment
39	3571	1114, 1116	89–301	5 (a), (c)	Revision; nonapplicability.
39	3573	1114, 1116	89–301	5 (b), (c)	Revision; exceptions.
39	3574	1116	89–301	5(c)	Nonapplicability.
39	3575	1116	89–301	5(c)	Revision.
39	3577	449	89–116	1 (b), (c)	Addition.
39	4156	792	89–187	4(d)	Applicability.
39	4169	1163	89–315	1 (a), (b)	Addition.
39	4303(d) (3)–(6)	1164	89–315	2	Par. (3) deleted; new (3)–(6) added.
39	5205	1311	89–348	1(17)	Partial repeal.

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	79 Stat.	Public law	Section	Comment
14	14–701, 14–702	736	89–183	1	Exception.
16	16–501(e)	447	89–113		Amendment.
16	16–501(f)	447	89–113		Exception.
16	16–902, 16–904	889	89–217	1, 2	Revision.
16	16–916, 16–920	889, 890	89–217	3, 4	Do.
18—21	18–101—21–1712	685	89–183	1	"Decedents' Estates and Fiduciary Relations," enactment as Part III.
18	18–101	702	89–183	1	Applicability.
18	18–104(a)	686	89–183	1	Exception.
18	18–306	689	89–183	1	Applicability.
19	19–101	694, 725	89–183	1	Do.
19	19–103(a)	694	89–183	1	Nonapplicability.
19	19–114	696	89–183	1	Applicability.
19	19–307(b)	698	89–183	1	Do.
19	19–319	698	89–183	1	Do.
19	19–501—19–506	701	89–183	1	Nonapplicability.
20	20–301—20–303	703, 704	89–183	1	Exception.
20	20–332	706	89–183	1	Do.
20	20–903	717	89–183	1	Applicability.
20	20–1111	719	89–183	1	Do.
20	20–2101—20–2108	725, 733	89–183	1	Do.
21	21–101—21–104	738	89–183	1	Do.
21	21–521—21–528	754	89–183	1	Exception.
21	21–523	753	89–183	1	Applicability.
21	21–546—21–551	761	89–183	1	Do.
21	21–561—21–565	761	89–183	1	Do.
21	21–585, 21–588	761	89–183	1	Do.
21	21–589(b)	761	89–183	1	Do.
21	21–1701—21–1712	778	89–183	1	Nonapplicability.

TABLE 5(c).—*Canal Zone Code*

Provisions affected		Amendatory provisions			
Title	Section	79 Stat.	Public law	Section	Comment
6	6503	990	89–267	2(a)	Amendment.
6	6503(c)	990	89–267	2(b)	Addition.

TABLE 6.—*Reorganization Plans*

Provisions affected			Amendatory provisions			
Year	Statutes vol.: page	Plan	79 Stat.	Public law	Section	Comment
1953	67:631	No. 1, sec. 2.	449	89–115	4(a)	Applicability.
1953	67:631	No. 1, sec. 2.	903	89–234	1(b)	Do.
1953	67:631	No. 1, sec. 3.	449	89–115	4(b)	Office abolished.
1957	71:647	No. 1	1310	89–348	1(3)	Partial repeal.
1961	75:840	No. 7, sec. 102.	195	89–56		Commissioners, duration of appointment, etc.

TABLE 7.—*Veterans' Regulations*

Provisions affected			Amendatory provisions			
Vets. regs.	Part	Paragraph	79 Stat.	Public law	Section	Comment
None						

TABLE 8.—*Executive Orders and Proclamations*

Number	Date	Amendatory provisions			
		79 Stat.	Public law	Section	Comment
Executive orders:					
	1908				
845	June 26	129	89–39		Boundary extension.
904	July 2	446	89–111		Transfer of lands.
	1962				
11035	July 9	531	89–128		Applicability.
	1965				
11198	Feb. 10	955, 965	89–243	3(e)(2), 4(q)	Continuation provision; modification.
Proclamations:					
	1893				
348	Feb. 14	446	89–111		Transfer of lands.
	1897				
392	Feb. 22	971	89–250		Do.
404	22	899	89–226		Land acquisition.
	1905				
543	Apr. 26	1299	89–336	8	Additional lands.
596	Oct. 3	1299	89–336	8	Do.
	1908				
799	Feb. 7	971	89–250		Boundary revision.
	1920				
1561	Apr. 28	843	89–207		Boundaries enlarged.
	1924				
1713	Oct. 15	543	89–129		Supplemental provision.
	1965				
3656	May 11	543	89–129		Do.

TABLE 9.—*Treaties and International Agreements*

Provisions affected				Amendatory provisions			
Date	Series No.	Stat.	Identification	79 Stat.	Public law	Section	Comment
1944							
Feb. 3	TS 944	59:1219	Mexico—utilization of waters of the Colorado River, etc.	1069	89–292	5	Applicability.

TABLE 10.—*Provisions Respecting General Repeals, Conflicts, Etc.*

79 Stat.	Public law	Section	Comment
12	89–4	203(f)	Appalachian region, crop acreage and allotment histories, preservation requirements.
14	89–4	205(b)	Appalachian region, mining area restoration projects, Federal share of costs, limitation.
17	89–4	214(a)	Federal grant-in-aid programs, appropriation authorization ceilings, exception.
34, 43, 53, 55, 57	89–10	2, 306(a), 507(f), 510(b), 602(a)	Civil-service laws, exception.
51	89–10	507(c)(3)	U.S. Office of Education, interchange of personnel with States, continuation of coverage under certain Federal employee acts.
60, 65	89–11	104, 204	D.C. laws inconsistent with interstate bus compacts, inapplicability.
127	89–36	6(a)	Civil-service laws, exception.
128	89–37	301	Naval ship construction, repeal of tonnage balances.
171	89–46		Gen. Wm. F. McKee, USAF, Ret., appointment as Federal Aviation Administrator, exception to laws prohibiting.
177	89–52		Classification laws, exception.
197	89–57		Armed Forces, flight pay requirements, exception.
202	89–57		Government service, employment and compensation of persons, exceptions to regulations.
202	89–57		Government funds, expenditure, exceptions to regulations.
213	89–70		U.S. district court judges, Alaska, computation of judicial service in territorial courts.
217	89–72	7(c)	Recreation or fish and wildlife development, etc., authority of Interior Secretary not affected.
217	89–72	8	Water resource projects, feasibility reports by Interior Secretary, specific authorization required.
225	89–73	601 (a), (b)	Civil-service laws, exceptions.
255	89–81	103(b)	Procurement or public contract laws, exception.
278	89–90		Procurement and service contract requirements, exception.
280	89–90		Aliens, employment restrictions, exception.
310	89–97	102(a)	Competitive bidding requirements, exception.
329, 339	89–97	102(a), 109(a)	Civil-service laws, exceptions.

TABLE 10.—*Provisions Respecting General Repeals, Conflicts, Etc.*—Continued

79 Stat.	Public law	Section	Comment
431	89–106	1	Agriculture Dept., erection of buildings on non-Federal lands, authority.
431	89–106	4	Civil-service laws, exception.
440	89–110	6	Laws administered by Civil Service Commission, exception.
474	89–117	302(b)	Urban renewal, workable program requirement, applicability to Indian tribes.
481	89–117	315(a)(12)	Univ. of Pennsylvania and Wilkes College, urban renewal expenditures, allowance as grants-in-aid.
482	89–117	315(c)	Housing Authority of Savannah, Ga., land conveyance.
486	89–117	403	Eminent domain, funds for certain payments.
494	89–117	802(b)	Federal National Mortgage Association, purchase of mortgages held by Federal instrumentalities.
509	89–117	1112	Public works planning grants, repayments, waiver.
523	89–128		Federal employees and retired employees health benefits fund, availability for administrative expenses.
547	89–132	7	Armed Forces, special pay and allowances provisions, continuation.
580	89–141	1	Presidential assassination investigations by Federal Bureau of Investigation, requests for assistance, exception to laws prohibiting.
582	89–144		Camp McCoy Military Reservation, Monroe County, Wis., relinquishment of U.S. jurisdiction over lands.
582	89–145		U.S. disbursing officers, payments to financial organizations, authorization.
615	89–160		Armed Forces, language training for dependents, exception to laws prohibiting.
622, 642	89–164		Civil-service and classification laws, exception.
653	89–171	102(a)	International lending organizations, use of foreign assistance funds, Presidential determination.
670	89–174	7(c)	Civil-service and classification laws, applicability.
670	89–174	7(c)	Housing and Urban Development, Dept. of, compensation of certain positions, authority of Secretary.
672	89–175	2 (b), (c)	Antitrust laws, exemption.
676	89–178	2	Civil-service laws, exception.
677	89–179		Norfolk, Va., land exchange by Navy Secretary, authority.
747	89–183	1	D.C., investments by fiduciaries, exception to statutes restricting.
765	89–183	1	D.C. laws, applicability to certain legal proceedings.
779	89–183	3	D.C. laws relating to rights of dower, applicability.

TABLE 10.—*Provisions Respecting General Repeals, Conflicts, Etc.*—Continued

79 Stat.	Public law	Section	Comment
792	89–187	3	Civil-service laws, exception.
815	89–188	606(a)	Military public works, authorizations, certain repeals; exceptions.
818	89–188	606(b)	Military family housing construction, authorizations, certain repeals; exceptions.
818	89–188	607(b)	Bolling-Anacostia Airfield complex, D.C., land disposal prohibited.
824	89–195	2(a)	Acquisition of Federal property by transfer.
826	89–195	5	Migratory waterfowl, Federal laws not affected.
826	89–195	6(a)	National parks, etc., utilization of statutory authority regarding.
826	89–195	6(b)	National wildlife refuge laws, applicability.
843	89–207	3(b)	Acquisition of Federal property by transfer.
852	89–209	10(a)(4)	Civil-service laws, applicability.
873	89–213	602	Non-citizens, employment of, exception to laws prohibiting.
876	89–213	613	Armed Forces commissary stores, sales prices, adjustment.
876	89–213	614	Armed Forces, proficiency flying.
876	89–213	614	Armed Forces, flight pay requirements, exception.
893, 895	89–220	5(a), 8(b)	Civil-service laws, exceptions; applicability.
905	89–234	2(i)	U.S. Public Health Service officers, retirement provisions.
929	89–239	2	Civil-service laws, exception.
933, 950	89–241	2(b), 89(c)	Import articles, effective date of certain changes in Tariff Schedules.
978	89–253	26(b)	Federal employment laws, non-applicability.
984	89–258		Civil-service laws, exception.
1000	89–272	208	Health, Education, and Welfare Dept., authority of Secretary not affected.
1000	89–272	208	Interior Dept., authority of Secretary not affected.
1006	89–273		Civil-service or classification laws, exception.
1006	89–273		Non-citizens, payments to, exception to laws prohibiting.
1018	89–283	203(a)	Tariff Schedules, modification by Presidential proclamation, effective date.
1027	89–284	3(b)	Civil-service laws, exceptions.
1048	89–287	15(a)	Civil-service laws, exception.
1048	89–287	16	National vocational student loan insurance program, participation by Federal credit unions.
1054	89–290	2(a)	Civil-service laws, exception.
1108	89–299		Noncitizens, etc., compensation payments, restriction.
1110	89–300	1(c)	Veterans' Administration, overseas employees, allowances and benefits.

TABLE 10.—*Provisions Respecting General Repeals, Conflicts, Etc.*—Continued

79 Stat.	Public law	Section	Comment
1116	89–301	6(a)	Postal employees, relocation expenses, authorization.
1128	89–306		Automatic data processing equipment for Federal agencies, purchase and utilization provisions, inconsistent laws not applicable.
1179	89–316		Aliens, employment, exception to laws prohibiting.
1189, 1192	89–321	301, 302	Commodity Credit Corp., marketing of negotiable certificates.
1190	89–321	302	Feed grains, acreage diversion program.
1192	89–231	302	Feed grains, acreage diversion program; termination of agreements by Agriculture Secretary.
1197	89–321	405	Cotton acreage allotments, sale, lease, or transfer, determination by Agriculture Secretary.
1206	89–321	602(a)	Cropland adjustment program; agreement authority of Agriculture Secretary.
1208	89–321	602(g)	Acreage diversion program, allotment histories, preservation requirements.
1208, 1209	89–321	602(i)	Cropland, acquisition for conservation purposes, transfer of funds.
1209	89–321	602(p)	Civil-service laws, exception.
1210	89–321	706	Acreage allotments or feed grain bases, transfers among certain farms, authorization.
1211	89–321	708	Projected farm yields, use by Agriculture Secretary, authorization.
1213	89–321	802	Rice, support prices, head and broken rice value factors.
1214	89–324	101, 201, 301	Naval vessels, loan to foreign nations, exceptions to laws regarding.
1223, 1226, 1230, 1247, 1255.	89–329	109(a), 205(a), 303(a), 433(a), 501(a)	Civil-service laws, exception.
1247	89–329	434	Student loan insurance programs, participation by Federal credit unions.
1257	89–329	515(a)	Federal employment laws, exception.
1287, 1289	89–333	3	Civil-service laws, exception.
1295	89–336	2(a), (b)	Acquisition of Federal property by transfer; land exchange authorized.
1298	89–336	4(b)	National forests and parks, utilization of statutory authority regarding.
1300	89–336	9	National park system, disposition of revenues, applicability of laws regarding.
1301	89–339	2	Disaster relief, Fla., La., and Miss., disposition of temporary housing.

TABLES OF PRIOR LAWS AND OTHER FEDERAL INSTRUMENTS REFERRED TO IN TEXT

TABLE 11.—*General Legislation*

Date	Chapter	79 Stat.
1787		
Sept. 17	Constitution	60, 65, 440, 441, 580, 838, 973, 982, 1094
1846		
Aug. 10	178	518
1879		
Mar. 3	186	606
1887		
Feb. 4	104	285, 894
Mar. 2	314	1167
1890		
Apr. 30	173	190
1894		
July 31	174	551, 660
Aug. 18	301	190
1895		
Jan. 12	23	280, 1133, 1175
1899		
Mar. 3	425	1093
1901		
Feb. 12	353	1180
Mar. 1	670	607
3	872	631
	Public law	
1902		
June 17	161	172, 217, 615, 1068, 1100, 1102
July 1	218	1309
1903		
Feb. 28	122	1180
1904		
Apr. 22	140	240
1906		
June 20	251	1015
30	382	184, 1175
1910		
May 17	181	188
1911		
Mar. 1	435	94, 188, 843
1912		
Apr. 9	116	605
July 16	226	1308
Aug. 24	302	190
1913		
Mar. 4	426	589
1914		
May 8	95	1167
1916		
Aug. 25	235	111, 123, 195, 510, 584, 587, 969, 971, 1069
Sept. 1	250	1013
7	260	262
7	267	180, 591, 973, 1119, 1130
1917		
Feb. 23	347	79
June 15	24	209
Oct. 6	91	626
1920		
June 5	259	591
1921		
June 10	13	179, 251
1922		
Sept. 21	331	1172
1923		
Feb. 28	457	766
1924		
Apr. 23	104	236, 242
May 19	120	537
27	148	186
June 7	253	285
7	276	280
1925		
Mar. 3	578	766

TABLE 11.—*General Legislation*—Continued

Date	Public law	79 Stat.
1926		
Mar. 18	49	821
May 7	186	621
20	257	609
July 2	450	1167
1927		
Mar. 4	803	104, 591
1928		
May 15	391	1077, 1098
Dec. 21	642	1102
1929		
Feb. 11	719	82, 1134
20	Pub. Res. 89	179
Mar. 2	935	605
June 20	17	281
1930		
May 29	284	240
June 5	305	1134
17	361	642, 1016, 1017
1931		
Jan. 31	589	991
Mar. 3	787	279
3	791	593
1932		
June 30	212	186, 1105
July 22	304	539, 540
1933		
May 18	17	1107
27	22	955
June 6	30	590
13	43	539
1934		
Mar. 27	135	128
May 7	211	637
10	216	118, 119
June 12	307	534
13	324	21, 33, 44, 46, 126, 430, 493, 496, 575, 665, 849, 894, 907, 929, 1000, 1061, 1285
19	416	17, 608, 1036
27	479	451, 453, 458, 498, 539, 540, 542, 814
28	482	175
1935		
Feb. 22	14	180
Apr. 27	46	13, 67, 1168, 1169, 1172, 1173, 1188, 1211
1935		
June 29	182	593
July 5	198	609
26	220	280
Aug. 14	271	28, 29, 77, 333, 336, 341, 386, 387, 457, 590, 604, 606, 1142–1145
19	286	623
21	292	111, 510, 587, 588, 1069, 1103
24	320	1166, 1167, 1171
26	337	187
29	392	623
30	403	21, 33, 44, 46, 126, 430, 492, 496, 575, 849, 894, 929, 1000, 1061, 1284
1936		
Feb. 29	461	1172, 1173
May 20	605	1176
June 4	638	177
4	648	623
8	673	238
15	678	1098
22	738	1169
29	835	633–635, 856
30	846	591, 1036
1937		
Mar. 24	Pub. Res. 14	190
June 3	137	1171, 1187, 1188, 1270
24	162	290, 291, 306, 307, 313, 331, 333, 343, 405, 421, 610, 862
28	169	1149
July 22	210	1169, 1177
Aug. 16	308	589
20	329	1304
28	399	932
28	405	175
Sept. 1	412	451, 453, 485, 533, 542
1938		
Feb. 16	430	435, 1170, 1172, 1188, 1191, 1195, 1196
May 11	502	1126
11	505	187
June 8	582	751
20	675	285
25	717	1141
25	718	591, 609, 1034, 1035
25	748	187
28	761	1074
1939		
Apr. 13	Pub. Res. 9	191
May 24	85	175
Aug. 2	252	1173
4	260	1102, 1299
9	355	624

TABLE 11.—*General Legislation*—Continued

Date	Public law	79 Stat.
1940		
June 17	637	187
27	668	272, 274
July 11	Pub. Res. 93	610
19	753	522
19	756	1102
Aug. 22	768	963
Oct. 9	812	271
17	861	538
1941		
June 28	136	623
July 1	145	274
Aug. 18	228	1098
Sept. 20	250	273
Oct. 29	284	605
Dec. 26	379	1115
1942		
Feb. 16	454	240
July 9	663	874
Dec. 10	796	280
1944		
Feb. 26	237	183
May 29	319	523
June 22	346	458, 589, 590
28	369	1103
July 1	410	17, 189, 205, 428, 429, 596–603, 609, 1142, 1143, 1268, 1285
Sept. 21	425	188, 1165–1170, 1174–1177
Dec. 22	534	433, 435, 553, 616, 1087, 1088, 1104, 1105
1945		
Apr. 19	35	1102, 1103
25	40	623
May 3	49	530
Dec. 6	248	629, 1109
1946		
Feb. 20	304	202
Mar. 8	321	980
Apr. 24	359	285
May 13	377	17, 524, 525
June 4	396	1171
11	404	1175, 1281
28	464	639
July 23	520	529, 530
24	526	1300
26	549	592
30	565	624
Aug. 1	586	80, 593
2	600	34, 43, 55, 57, 96, 127, 186, 188–192, 196–203, 225, 237, 241, 242, 246, 280, 329, 330, 339,
1946		
Aug. 2	600	520–523, 525, 526, 529, 531, 533, 535, 538, 539, 571, 611, 620, 621, 623, 624, 628, 636, 637, 640–642, 644, 670, 677, 829, 852, 873, 895, 908, 921, 929, 985, 1006–1008, 1027, 1048, 1055, 1100, 1106–1109, 1133, 1136–1140, 1148, 1151, 1165–1170, 1174–1176, 1180, 1184, 1185, 1223, 1226, 1228, 1230, 1247, 1255, 1260, 1287–1289, 1293
2	601	265, 267, 271, 275, 278
7	648	240
8	658	601
13	724	550, 620–622, 624, 640, 642, 1007, 1110
13	726	189
14	732	1126
14	733	1167–1170, 1179
1947		
Feb. 28	8	1166
June 23	101	609, 610
July 18	204	179
30	268	530
Aug. 4	330	388, 389
4	353	628
5	361	184
6	373	631
8	388	1172
1948		
Jan. 27	402	642
Apr. 20	491	550
24	496	1166
May 12	525	511
14	527	240
June 16	655	602
24	759	535
July 2	883	529, 530
3	896	592
Aug. 10	901	532
1949		
Jan. 19	2	201
Feb. 26	11	630
May 31	82	1079
June 9	92	77, 523
20	109	669
30	152	531, 608, 643, 990
July 11	162	591
15	171	484, 485, 532, 1176, 1177, 1185

TABLE 11.—*General Legislation*—Continued

Date	Public law	79 Stat.
1949		
Aug. 22	259	190
Sept. 1	280	1299
Oct. 10	341	841
25	387	542
26	390	525, 636
27	421	4, 1179
28	429	6, 53, 180, 246, 250, 551, 565, 752, 873, 905, 978, 1118, 1121, 1122, 1255, 1258
31	439	435, 874, 1191, 1193
1950		
Mar. 10	455	626
18	462	593
Apr. 20	475	540
24	478	187
May 3	499	1177
10	507	535
July 28	626	91, 626, 628
Aug. 1	630	179
3	636	1116, 1120, 1123
15	693	1015
19	719	523
28	734	397, 399
Sept. 8	774	181, 274, 529
12	784	179
13	786	622, 623
21	797	541
23	815	594
23	831	335
30	874	197, 594, 832, 873, 1158, 1253, 1256
30	875	521, 1158, 1159, 1301
1951		
Jan. 12	920	521, 1137
July 31	95	1134
Oct. 26	213	659, 1002, 1004
1952		
June 27	414	832, 973, 974
July 3	448	185
15	547	1109
19	592	189
1953		
June 26	83	1167
July 30	163	641, 1151
Aug. 5	193	191
7	212	1036
13	264	196, 631
15	286	275
1954		
May 18	364	236, 240
June 16	Pri. L. 419	601
1954		
June 18	420	607
30	451	179
July 2	472	240
10	480	26, 190, 279, 529, 535, 621, 966, 968, 972, 1153, 1166, 1178, 1213
22	517	179
22	519	526, 528
26	531	595, 832
28	545	1179
Aug. 2	560	251, 252, 471, 532, 559, 1000
3	565	408, 409, 595, 596, 1141, 1142
4	566	17, 216, 553, 1168
5	568	188, 189
13	587	897
17	598	1123
26	663	1002
26	665	1002
28	690	1171
30	703	120, 1106
Sept. 1	763	186, 188–191, 196, 197, 200, 201, 276, 277, 522, 525, 526, 534–536, 539, 542, 611, 622, 628, 636, 640, 878, 1098–1100, 1107, 1112, 1179
1955		
Apr. 22	24	277
June 28	94	1112
July 4	130	1102
Aug. 4	221	1106
5	242	272
11	345	485, 541
11	352	1167
11	360	1167
11	361	72
11	372	1140
1956		
Apr. 11	485	1102
May 1	503	1132
28	540	187, 1172, 1174
29	546	285
June 7	569	603
19	597	17, 594
29	627	636
July 9	660	17, 490, 600, 904, 1143
24	757	665
24	772	177
25	798	863, 864, 866
31	854	307, 487, 1119, 1120, 1124, 1132
Aug. 1	880	335, 336
1	885	620–622

TABLE 11.—*General Legislation*—Continued

Date	Public law	79 Stat.
1956		
Aug. 1	896	593
2	924	172
3	941	603
3	959	177
3	979	188, 1171
6	984	216, 1102
7	1020	532
7	1021	1169
8	1024	1171
1957		
June 21	85–58	81, 1174
Aug. 16	85–147	279
Sept. 7	85–300	240
7	85–305	191
1958		
June 6	85–451	237, 240
29	85–568	520
July 3	85–500	1068
7	85–507	535, 1098, 1099
18	85–536	92, 482, 483, 1301
Aug. 1	85–584	1013–1015
12	85–624	1097, 1100
18	85–672	634
20	85–692	240
21	85–701	180, 181
23	85–726	522, 524, 629
23	85–743	180
25	85–745	530
28	85–836	591, 888
28	85–844	528
28	85–851	179
Sept. 2	85–857	537
2	85–864	17, 238, 594, 595, 1042, 1241
2	85–874	1009
2	85–883	185, 1138
2	85–890	631, 632
2	85–918	191
6	85–926	595
6	85–934	1167, 1179
6	85–936	991
1959		
June 25	86–70	191
Sept. 9	86–249	526, 527, 530, 531
14	86–255	528
14	86–257	591
16	86–279	902
23	86–372	453, 454, 541, 1136
24	86–380	203
28	86–382	333, 432, 523
1960		
Apr. 8	86–417	986
May 6	86–449	445, 638
14	86–469	986
14	86–472	624
June 12	86–515	237, 240
12	86–516	183
30	86–555	629
July 5	86–571	605
1960		
July 7	86–599	182
12	86–610	596
12	86–628	986
12	86–629	1006
14	86–660	635
14	86–669	189, 663
Sept. 6	86–707	620–622, 1007, 1109
8	86–724	523
8	86–735	660, 661
13	86–777	182
13	86–778	363, 366, 388, 605
15	86–794	663
1961		
May 1	87–27	479, 491, 503, 558, 561, 575
June 29	87–63	629
30	87–70	466, 485, 532, 1136
July 6	87–82	97, 267
Aug. 8	87–128	13, 94, 1133, 1169, 1171, 1176, 1177, 1301
17	87–144	865
17	87–155	4, 1178
Sept. 4	87–195	24, 465, 1003, 1006, 1008, 1214
14	87–246	779
21	87–256	92, 595, 624, 642–644
22	87–274	205, 606
22	87–290	594
22	87–293	1006, 1040, 1239
26	87–297	642
26	87–301	919
27	87–328	612, 613, 1108
Oct. 4	87–360	190
4	87–383	184
1962		
Mar. 2	87–408	236
15	87–415	589
Apr. 4	87–432	176
June 28	87–510	919, 1007
July 19	87–541	179
27	87–554	836
Aug. 24	87–609	432
Sept. 5	87–626	180
14	87–658	509, 1108
25	87–688	593
27	87–703	1189, 1190, 1191, 1199
Oct. 4	87–746	1006
5	87–749	1167
9	87–767	663
10	87–788	1167
11	87–793	523, 1111
11	87–794	839, 933, 1018
23	87–866	559, 636
23	87–874	614, 1089, 1092
1963		
May 28	88–29	216
July 19	88–71	601
22	88–74	1167

TABLE 11.—*General Legislation*—Continued

Date	Public law	79 Stat.
1963		
Aug. 20	88–102	197
27	88–104	237, 666
Oct. 24	88–156	605
31	88–164	595, 599, 602, 1143
Nov. 4	88–170	179
Dec. 11	88–195	529
16	88–204	17, 205, 593
17	88–206	600
18	88–210	17, 80, 593
19	88–215	531, 1137
30	88–250	1166, 1167, 1173
31	88–257	1103
1964		
Jan. 6	88–258	118
Feb. 11	88–269	594
Apr. 29	88–300	623
May 20	88–309	183
July 2	88–351	135
2	88–352	445, 629, 640, 1149
3	88–354	1179
9	88–365	485, 533, 664
17	88–379	185, 1138
Aug. 4	88–399	625
14	88–426	6, 171, 565, 670, 1122
18	88–443	599
19	88–448	660
20	88–452	31, 482, 491, 553, 555, 611, 1141, 1145
22	88–479	108
22	88–485	86
30	88–498	183
30	88–499	203
31	88–525	1171
Sept. 2	88–560	84, 476, 532
2	88–573	99, 1173
2	88–576	205
3	88–578	17, 85, 178, 216, 252, 669, 843
3	88–579	190, 851, 1140
7	88–582	589
19	88–605	88, 89
19	88–606	1139
1964		
Oct. 6	88–630	191
7	88–634	205
7	88–635	183
8	88–637	835
13	88–652	89, 1146
16	88–665	594, 1253
1965		
Mar. 9	89–4	17, 92–96, 554
Apr. 11	89–10	35, 44, 45, 88, 832
June 8	89–36	834
21	89–44	136, 141
30	89–58	1153
July 9	89–72	1068, 1082
14	89–73	833
22	89–80	1073, 1148
23	89–81	256
30	89–97	88, 291, 363–366, 402, 1143
Aug. 6	89–110	1149
10	89–117	453, 454, 461, 471–477, 479, 485, 487, 493, 1135–1137
26	89–136	1088, 1150
31	89–156	1144
Sept. 6	89–171	659
8	89–173	666, 1134, 1139
14	89–182	1150
21	89–196	1151
23	89–199	1141
29	89–209	1140
Oct. 9	89–243	959, 960
19	89–260	1147
20	89–272	1138, 1143
22	89–284	1150
22	89–285	1151
22	89–290	1143
28	89–299	186
30	89–305	1140
31	89–308	1132
Nov. 1	89–313	1141
3	89–321	1194
8	89–329	1141
8	89–333	1142
8	89–339	1152

TABLE 12.—*Revised Statutes*

Section	79 Stat.	Section	79 Stat.	Section	79 Stat.
291	621	3732	875	*D.C.*	
3648	625	4148	891		
3679	186, 279, 280, 604, 641, 1103, 1144, 1166, 1178	4151, 4153	891	203	236
		5294	893		

TABLE 13.—*Internal Revenue Code of 1939*

Section	79 Stat.	Section	79 Stat.	Section	79 Stat.
None					

TABLE 14.—*Internal Revenue Code of 1954*

Section	79 Stat.	Section	79 Stat.	Section	79 Stat.
1 *et seq*	78, 549	3101(a)	339, 342	4171, 4191	141–143
1–1563	138, 139, 165–168	3101(b)	299, 301, 339, 342	4211	141
31–39	168	3102	384, 385	4218	154
39	139, 165, 166	3111	335, 336, 338, 383, 387, 390	4231(1)–(6)	153
48(c)(3)(C)	959, 964	3111(a)	339, 342	4241	153
112	147	3111(b)	299, 339, 342	4252(b)(2)	147
151(e)(4)	958	3121	860, 861	4264(a)	148
152	336	3121(a)	384, 385, 395, 396	4286, 4287	153
162(a)	964	3121(k)(1)	387, 388	4451	142, 143
170(c)	847	3125	390	4455	149, 155
171	965	3201–3233	343	4461(a)(1)	149
212	964	3201	858, 859	4462	155
368(a)(1)(B)	964	3202	859	4731, 4761	227
501	320	3231(e)(3)	858	4911	964, 966
501(a)	138, 158, 165, 166, 169	4001–4058	153	4914, 4916, 4917	964
501(c)	158, 169, 960	4001–4931	169	4918	962
702(a)(9)	399	4041	144	4931	956
1401–1403	338, 392	4053(b)(1)	154	5025(k)	162
1401	402	4061–4227	153, 154, 156	5234(a)(1)	161
1401(a)	339	4061(a)(2)	141, 143, 144	5271–5275	161
1401(b)	299, 338, 339	4061(b)	142–144, 153	5383(b)	163, 164
1402(e)	380, 402, 403	4063(c)	158	6001–7852	299, 301
1402(h)	392	4071	154	6053(a)	382–385, 858, 860
3101–3126	338, 341, 343, 387, 390	4071(a)(4)	144	6053(b)	385
3101	335, 338, 382, 383, 385, 387, 390	4081	144, 159, 160	6201(a)(4)	168
		4091	138, 139, 144, 159	6413(c)	301
		4091(1)	142, 143	6420, 6421	167
		4092(b)	137	6424	139, 145, 167
		4111	142–144, 154	6501	402
		4121	142, 143, 154	6611	402
		4131	142, 143	6651	386, 402
		4141	141–143, 154	7201–7344	139
		4151, 4161	142, 143	7701(a)(2), (5)	960

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, 6, 9, 10, 13, 14, 17, 18, 23, 28, 32, 35, 37, 38, and 39.)

U.S. Code		79 Stat.	U.S. Code		79 Stat.
Title	Section		Title	Section	
1	202, 203, 213	272	10	7208	874
3	1, 2	580	10	7209(a)	874
3	102	201	10	7574(d), (e)	813
10	101 (4), (22)	1163	10	8033	864, 865
10	265	864, 865	10	8066	1051
10	1072	579	10	8067(a)	1050
10	1431–1446	198, 865	10	8496	865
10	2231–2238	836	10	9774(f), (g)	813
10	2301–2314	815	14	276	820
10	2353	448, 877	18	152	646
10	2354	448	18	751–757	675
10	2665	875	18	792–799	334
10	2672	873	18	871	890
10	2673, 2675	835	18	1111, 1112	580
10	2771	586	18	1751	581
10	3033	864	18	1905	994
10	3066	1050	18	1913	1172, 1173
10	3496	864	18	1991, 1992	210
10	4774 (f), (g)	813	18	2071	1186
10	7202	866	18	2112	1186
10	7204	873	18	2151–2157	334

TABLE 15(a).—*Positive Law Titles of United States Code*—Continued

U.S. Code		79 Stat.
Title	Section	
18	2271–2279	210
18	2381–2391	334
18	3006A	638
18	3041	638
18	3056	526
18	3192	620
18	4244–4248	91, 626
23	101 *et seq*	11, 635
23	104	635, 1028, 1031
23	125	131, 635
23	131	1033
23	131(c)(2), (3)	1029
23	135	1033, 1151
23	136	1033
23	203	174, 176, 178, 187, 635, 636
23	204	635
23	205	187
23	209	636
23	210	837, 874
23	212	636
23	309	635
23	319	1151
23	320	635
28	1 *et seq*	1156
28	132	952
28	371, 372	213, 638
28	373, 375	638
28	457	952
28	501	952
28	541(a)	953
28	751(c)	952
28	1254	34, 39, 54, 223, 420, 1030, 1223, 1265
28	1346(b)	1156
28	2112	33, 39, 54, 223, 420, 1222
28	2255	618, 647
28	2284	438, 439, 442
28	2672	629, 630, 642, 1110
28	2677	537
32	708	864, 865
32	709	867, 868
35	13	259
35	31–33	1281
35	132	259
35	255, 256	259
37	301	197, 876, 886
37	304	886
37	310	886
37	401	615
37	402	898
37	405a(a)	117
38	101 *et seq*	886, 887
38	102(b)	887
38	230(c)	1110
38	301–360	896, 1154
38	351	537
38	631–634	537
38	641	536
38	766	881–885
38	769	883, 884
38	776	886
38	801–805	537
38	902	536, 538
38	1501–1510	576, 578
38	1601–1669	537
38	1701–1778	537
38	1801–1825	458, 537
38	1811	460
38	1823(a)	538
38	1824	537
38	1901–1905	537
38	4103, 4104	1117
38	5001, 5002, 5004	537
38	5031–5037	537
39	705(d)	1163
39	2201, 2202	199
39	3552	450
39	3581	1116

TABLE 15(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))

D.C. Code		79 Stat.	D.C. Code		79 Stat.
Title	Section		Title	Section	
15	15–501—15–503	715	20	20–2301	734, 735
16	16–911	890	20	20–2302, 20–2303	735
18	18–103, 18–107	686, 687	20	20–2305	735, 736
18	18–501—18–503	691	20	20–2307	735
19	19–101	728, 730	21	21–148	742, 743
19	19–102	695	21	21–501—21–591	766
19	19–113	697	21	21–501	708, 761, 763,
19	19–301—19–321	725, 729, 732			774
19	19–301—19–304	697	21	21–512	754
19	19–301	699	21	21–521	759
19	19–701	698, 725, 729	21	21–522, 21–523	754
20	20–301	704	21	21–541—21–551	753, 759
20	20–303	708	21	21–541	755, 757
20	20–304	706, 708, 714,	21	21–544	756
		715	21	21–545—21–548	757
20	20–333	708, 714, 715	21	21–546	761
20	20–334	707	21	21–551	765
20	20–359	729	21	21–586	755
20	20–502, 20–504	714	21	21–902	764, 765
20	20–701—20–708	716	21	21–903	763, 765
20	20–904	717	21	21–904	765
20	20–1106	719	21	21–906, 21–907	764
20	20–1303	721	21	21–1101—21–1123	766
20	20–1313	723	21	21–1103	767, 768, 772
20	20–1901	697	21	21–1109	770
20	20–2101	732	21	21–1501	708

TABLE 15(c).—*Canal Zone Code*

C.Z. Code		79 Stat.	C.Z. Code		79 Stat.
Title	Section		Title	Section	
2	2	1099	2	371	1099

TABLE 16.—*Reorganization Plans*

Year	Plan	79 Stat.	Year	Plan	79 Stat.	Year	Plan	79 Stat.
1946	No. 3	1012	**1952**	No. 5	60, 65, 113	**1953**	No. 8	642
1950	No. 14	21, 33, 44, 46, 126, 430, 493, 496, 575, 665, 849, 894, 907, 929, 1000, 1061, 1285						

TABLE 17.—*Veterans' Regulations*

Regulation	Part	79 Stat.	Regulation	Part	79 Stat.
1(a)	VIII	537			

TABLE 18.—*Executive Orders and Proclamations*

Number	Date	79 Stat.	Number	Date	79 Stat.
E.O. 9079	Feb. 26, 1942	601	E.O. 11182	Oct. 2, 1964	191
E.O. 9358	July 1, 1943	522	E.O. 11234	July 16, 1965	827
E.O. 10422	Jan. 9, 1953	522	E.O. 11236	July 23, 1965	827
E.O. 10758	Mar. 4, 1958	522	E.O. 11246	Sept. 24, 1965	1140
E.O. 10787	Nov. 6, 1958	175	Proclamations		
E.O. 10918	Feb. 16, 1961	203	(None)		
E.O. 11074	Jan. 8, 1963	598			

TABLE 19.—*Treaties and International Agreements*

Treaty or agreement	79 Stat.	Treaty or agreement	79 Stat.	Treaty or agreement	79 Stat.
TS 226	622	TS 864	622, 623	TIAS 2490	1071
TS 232	622	TS 970	113	TIAS 4892	511, 512, 515
TS 455	622	TS 994	622, 623	TIAS 5505	112, 113
TS 461	622	TIAS 1665	179	TIAS 5515	622, 623
TS 548	623	TIAS 2130	623	TIAS 5638	245
TS 720	623	TIAS 2317	281	TIAS 5780	513, 516, 517

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Advisory Council on Quality Teacher Preparation, establishment 1254

Advisory Council on Servicemen's Group Life Insurance, establishment 885

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- Housing for the elderly 451, 457
  - Appropriation for 1136, 1177
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