

Public Law 233

CHAPTER 631

AN ACT

October 30, 1951
[S. 1046]

To readjust postal rates.

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

Postal rates.

TITLE I

FIRST-CLASS MAIL

Postal cards.

20 Stat. 362.

30 Stat. 419.

Rate of postage.

SECTION 1. (a) The rate of postage on each single postal card issued and sold under the provisions of section 3916 of the Revised Statutes (U. S. C., title 39, sec. 356), and on each portion of double postal cards issued and sold under the provisions of the Act of March 3, 1879 (U. S. C., title 39, sec. 358), shall be 2 cents: *Provided*, That on all single and double postal cards sold in quantities of fifty or more there shall be an additional charge of 10 per centum. The rate of postage on each private mailing or post card conforming to the conditions prescribed by the Act of May 19, 1898 (U. S. C., title 39, sec. 281), shall be 2 cents.

(b) Except as provided in paragraph (a) of this section, the rate of postage on mail matter of the first class when mailed for local delivery at post offices where free delivery by carrier is not established and when the matter is not collected or delivered by rural or star route carriers, shall be 2 cents for each ounce or fraction thereof.

SECOND-CLASS MAIL

SEC. 2. (a) In the case of publications entered as second-class matter (including sample copies to the extent of 10 per centum of the weight of copies mailed to subscribers during the calendar year) when mailed by the publisher thereof from the post office of publication and entry or other post office where such entry is authorized, or when mailed by news agents (registered as such under regulations prescribed by the Postmaster General) to actual subscribers thereto or to other news agents for the purpose of sale, the total postage computed at the pound rates in effect under existing law and based on the bulk weight of each mailing shall be increased (1) by 10 per centum, beginning on April 1, 1952, (2) by an additional 10 per centum, based on the rates now in force, beginning on April 1, 1953, and (3) by an additional 10 per centum, based on the rates now in force, beginning on April 1, 1954: *Provided*, That publications having over 75 per centum advertising in more than one-half of their issues during any twelve months' period shall not be accepted for mailing as second-class matter and their entry shall be revoked, except that for the purpose of this proviso only, a charge made solely for the publication of transportation schedules, fares, and related information shall not be construed as constituting a charge for advertising: *Provided further*, That the rate of postage on newspapers or periodicals maintained by and in the interests of religious, educational, scientific, philanthropic, agricultural, labor, veterans' or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, shall be 1½ cents per pound or fraction thereof, and the increases provided by this section shall not apply to such rate: *And provided further*, That existing rates shall continue in effect with respect to any religious, educational, or scientific publication designed specifically for use in school classrooms or in religious instruction classes. The publisher of any such newspaper, periodical, or publication before being entitled to such rate shall furnish proof

Nonapplicability.

of qualification to the Postmaster General at such times and under such conditions as the Postmaster General may prescribe.

(b) The free-in-county mailing privilege and the rates of postage on copies of publications of the second class when addressed for delivery within the county in which they are published and entered as such shall be the same as authorized by existing law: *Provided further*, That copies of a publication mailed at a post office where it is entered, for delivery by letter carriers at a different post office within the delivery limits of which the headquarters or general business office of the publisher is located, shall be chargeable with postage at the rate that would be applicable if the copies were mailed at the latter office, unless postage chargeable at the pound rates from the office of mailing is higher, in which case such higher rates shall apply.

Free-in-county mailing.

(c) In no case, except where the free-in-county mailing privilege is applicable, shall the postage on each individually addressed copy be less than one-eighth of 1 cent.

(d) The rate of postage on copies of publications having second-class entry mailed by others than the publishers or authorized news agents, sample copies mailed by the publishers in excess of the 10 per centum allowance entitled to be sent at the pound rates, and copies mailed by the publishers to persons who may not be included in the required legitimate list of subscribers, shall be 2 cents for the first two ounces and 1 cent for each additional two ounces or fraction thereof, except when the postage at the rates prescribed for fourth-class matter is lower, in which case the latter rates shall apply, computed on each individually addressed copy or package of unaddressed copies, and not on the bulk weight of the copies and packages.

Sample copies, etc.

THIRD-CLASS MAIL

SEC. 3. The rate of postage on third-class matter shall be 2 cents for the first two ounces or fraction thereof, and 1 cent for each additional ounce or fraction thereof up to and including eight ounces in weight, except that the rate of postage on books and catalogs, of twenty-four pages or more, seeds, cuttings, bulbs, roots, scions, and plants not exceeding eight ounces in weight shall be 2 cents for the first two ounces or fraction thereof and $1\frac{1}{2}$ cents for each additional two ounces or fraction thereof: *Provided*, That upon payment of a fee of \$10 for each calendar year or portion thereof and under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter in the mails, it shall be lawful to accept for transmission in the mails, separately addressed identical pieces of third-class matter in quantities of not less than twenty pounds, or of not less than two hundred pieces, subject to pound rates of postage applicable to the entire bulk mailed at one time: *Provided further*, That the rate of postage on third-class matter mailed in bulk under the foregoing provision shall be 14 cents for each pound or fraction thereof with a minimum charge per piece of 1 cent, except that in the case of books and catalogs of twenty-four pages or more, seeds, cuttings, bulbs, roots, scions, and plants the rate shall be 10 cents for each pound or fraction thereof with a minimum charge per piece of 1 cent: *Provided further*, That the minimum charge per piece of 1 cent specified in the foregoing proviso shall be increased to $1\frac{1}{2}$ cents on July 1, 1952: *Provided further*, That pieces or packages of such size or form as to prevent ready facing and tying in bundles and requiring individual distributing throughout shall be subject to a minimum charge of 3 cents each: *And provided further*, That the rates prescribed by this section shall not apply with respect to matter mailed by religious, educational, scientific, philanthropic, agri-

Bulk mail.

Nonapplicability.

cultural, labor, veterans', or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, and the existing rates shall continue to apply with respect to such matter.

BOOKS

62 Stat. 1263.
39 U. S. C. § 202a.

SEC. 4. The rates of postage prescribed by subsections (d) and (e) of section 204 of the Postal Rate Revision and Federal Employees Salary Act of 1948 shall remain in effect until otherwise provided by Congress.

SPECIAL DELIVERY

SEC. 5. Mail of any class shall be given the most expeditious handling and transportation practicable and immediate delivery at the office of address when, in addition to the regular postage, a special-delivery fee is prepaid thereon by means of special-delivery stamps or ordinary postage stamps, or in such other manner as the Postmaster General may prescribe, in accordance with the following schedule: Matter weighing not more than two pounds, if of the first class, 20 cents; if of any other class, 35 cents. Matter weighing more than two but not more than ten pounds, if of the first class, 35 cents; if of any other class, 45 cents. Matter weighing more than ten pounds, if of the first class, 50 cents; if of any other class, 60 cents.

REGISTERED MAIL

SEC. 6. (a) Mail matter shall be registered on the application of the party posting the same. The registry fees, which shall be in addition to the regular postage, and the limits of indemnity therefor within the maximum indemnity provided by this subsection, shall be as follows:

For articles having no intrinsic value and for which no indemnity is payable, 30 cents;

For registry indemnity not exceeding \$5, 40 cents;

For registry indemnity exceeding \$5 but not exceeding \$25, 55 cents;

For registry indemnity exceeding \$25 but not exceeding \$50, 65 cents;

For registry indemnity exceeding \$50 but not exceeding \$75, 75 cents;

For registry indemnity exceeding \$75 but not exceeding \$100, 85 cents;

For registry indemnity exceeding \$100 but not exceeding \$200, 95 cents;

For registry indemnity exceeding \$200 but not exceeding \$300, \$1.05;

For registry indemnity exceeding \$300 but not exceeding \$400, \$1.15;

For registry indemnity exceeding \$400 but not exceeding \$500, \$1.25;

For registry indemnity exceeding \$500 but not exceeding \$600, \$1.35;

For registry indemnity exceeding \$600 but not exceeding \$700, \$1.45;

For registry indemnity exceeding \$700 but not exceeding \$800, \$1.55;

For registry indemnity exceeding \$800 but not exceeding \$900, \$1.65;

For registry indemnity exceeding \$900 but not exceeding \$1,000, \$1.75: *Provided*, That for registered mail having a declared value in excess of \$25 a registry fee of not less than 55 cents shall be paid.

(b) For registered mail or insured mail treated as registered mail having a declared value in excess of the maximum indemnity covered by the registry or insurance fee paid there shall be charged additional fees (known as "surcharges") as follows: When the declared value

exceeds the maximum indemnity covered by the registry or insurance fee paid by not more than \$50, 2 cents; by more than \$50 but not more than \$100, 3 cents; by more than \$100 but not more than \$200, 4 cents; by more than \$200 but not more than \$400, 6 cents; by more than \$400 but not more than \$600, 7 cents; by more than \$600 but not more than \$800, 8 cents; by more than \$800 but less than \$1,000, 10 cents; and if the excess of the declared value over the maximum indemnity covered by the registry or insurance fee paid is \$1,000 or more, the additional fees for each \$1,000 or part of \$1,000 on articles destined to points within the several zones applicable to fourth-class matter shall be as follows:

- For local delivery or for delivery within the first zone, 12 cents;
- For delivery within the second zone, 14 cents;
- For delivery within the third zone, 16 cents;
- For delivery within the fourth zone, 17 cents;
- For delivery within the fifth or sixth zones, 18 cents;
- For delivery within the seventh or eighth zones, 19 cents: *Provided*, That for registered mail or insured mail treated as registered mail of such kind or character that it may be carried at less than the maximum risk of loss in the mails, the Postmaster General may prescribe rules for determining upon what part of the declared value in excess of the maximum indemnity covered by the registry or insurance fee paid the additional fees shall be based.

RETURN RECEIPTS FOR REGISTERED MAIL

SEC. 7. Whenever the sender of any registered mail shall so request, and upon payment of a fee of 7 cents at the time of mailing or of 15 cents subsequent to the time of mailing, a receipt shall be obtained for such registered mail, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided*, That upon payment of the additional sum of 24 cents at the time of mailing of any such registered mail, a receipt shall be obtained for such registered mail, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided further*, That no refund shall be made of fees paid for return receipts for registered mail where the failure to furnish the sender a return receipt or the equivalent is not due to the fault of the postal service.

FEES FOR INSURED MAIL

SEC. 8. The fees for insurance, which shall be in addition to the regular postage, and the limits of indemnity therefor within the maximum indemnity provided by this section, shall be as follows: 5 cents for indemnification not exceeding \$5; 10 cents for indemnification exceeding \$5 but not exceeding \$10; 15 cents for indemnification exceeding \$10 but not exceeding \$25; 20 cents for indemnification exceeding \$25 but not exceeding \$50; 30 cents for indemnification exceeding \$50 but not exceeding \$100; 35 cents for indemnification exceeding \$100 but not exceeding \$200.

RETURNED RECEIPTS FOR INSURED MAIL

SEC. 9. Whenever the sender of an insured article of mail on which other than the minimum fee was paid shall so request, and upon payment of a fee of 7 cents at the time of mailing or of 15 cents subsequent to the time of mailing, a receipt shall be obtained for such insured mail, showing to whom and when the same was delivered, which receipt

shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided*, That upon payment of the additional sum of 24 cents at the time of mailing of any insured article of mail on which other than the minimum fee was paid, a receipt shall be obtained for such insured mail, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided further*, That no refund shall be made of fees paid for return receipts for insured mail where the failure to furnish the sender a return receipt or the equivalent is not due to the fault of the postal service.

FEEES FOR COLLECT-ON-DELIVERY MAIL

SEC. 10. The fees for collect-on-delivery service for sealed domestic mail matter of any class bearing postage at the first-class rate and for domestic third- and fourth-class mail matter shall, in addition to the regular postage and any other required fees, be as follows: 30 cents for collections and indemnity not exceeding \$5; 40 cents for collections and indemnity exceeding \$5 but not exceeding \$10; 60 cents for collections and indemnity exceeding \$10 but not exceeding \$25; 70 cents for collections and indemnity exceeding \$25 but not exceeding \$50; 80 cents for collections and indemnity exceeding \$50 but not exceeding \$100; 90 cents for collections and indemnity exceeding \$100 but not exceeding \$150; \$1 for collections and indemnity exceeding \$150 but not exceeding \$200.

REGISTERED COLLECT-ON-DELIVERY MAIL

SEC. 11. (a) The fee for collect-on-delivery service for registered sealed domestic mail of any class bearing postage at the first-class rate shall, in addition to the regular postage and any other required fees, be 80 cents for collections and indemnity not exceeding \$10; \$1.10 for collections and indemnity exceeding \$10 but not exceeding \$50; \$1.20 for collections and indemnity exceeding \$50 but not exceeding \$100; \$1.40 for collections and indemnity exceeding \$100 but not exceeding \$200. The maximum amount of charges collectible on any registered sealed domestic collect-on-delivery article shall be \$200.

(b) When indemnity in excess of \$200 is desired, the fee for such registered sealed domestic collect-on-delivery mail shall, in addition to the regular postage and any other required fees, be \$1.50 for indemnity exceeding \$200 but not exceeding \$300; \$1.60 for indemnity exceeding \$300 but not exceeding \$400; \$1.70 for indemnity exceeding \$400 but not exceeding \$500; \$1.80 for indemnity exceeding \$500 but not exceeding \$600; \$1.90 for indemnity exceeding \$600 but not exceeding \$700; \$2 for indemnity exceeding \$700 but not exceeding \$800; \$2.10 for indemnity exceeding \$800 but not exceeding \$1,000.

FEEES FOR SPECIAL SERVICES

SEC. 12. (a) The Postmaster General is authorized to prescribe by regulation from time to time the fees which shall be charged by the postal service—

- (1) for the registry of mail matter;
- (2) for the insurance of mail matter, or other indemnification of senders thereof for articles damaged or lost;
- (3) for securing a signed receipt upon the delivery of registered or insured mail matter and returning such receipt to sender;
- (4) for collect-on-delivery service;
- (5) for special-delivery service;

- (6) for special-handling service;
 - (7) for the issuance of money orders;
 - (8) for notice to publishers of undeliverable second-class mail, for notice of change of address, and for notice to addressee or sender of undeliverable third- or fourth-class matter, or of undeliverable second-class matter mailed at the transient rate.
- (b) Regulations issued by the Postmaster General under subsection (a) shall, to the extent prescribed therein, supersede existing laws, regulations, and orders governing the fees for the services covered thereby.

JOINT COMMITTEE ON POSTAL SERVICE

SEC. 13. (a) (1) There is hereby established a Joint Committee on the Postal Service (hereinafter referred to as the "joint committee"), to be composed of three members of the Committee on Post Office and Civil Service of the Senate, to be appointed by the President of the Senate, and three members of the Committee on Post Office and Civil Service of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

Establishment.

(2) The chairman of the joint committee shall be the chairman of the Post Office and Civil Service Committee of the Senate, and the vice-chairman shall be the chairman of the Committee on Post Office and Civil Service of the House of Representatives. Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as the original selection. A majority of the members of the joint committee, or any subcommittee thereof, shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of taking sworn testimony.

(b) The joint committee, acting as a whole or by subcommittee, shall conduct a thorough study and investigation in respect of the following matters:

Study and investigation.

(1) Postal rates and charges in relation to the reasonable cost of handling the several classes of mail matter and special services, with due allowances in each class for the care required, the degree of preferment, priority in handling, and economic value of the services rendered and the public interest served thereby.

(2) The extent to which expenditures now charged to the Post Office Department for the following items should be excluded in considering costs for the several classes of mail matter and special services:

- (A) Expenditures for free postal services;
- (B) Expenditures in excess of revenues for international postal services;
- (C) Expenditures for subsidies for postal services pursuant to law or legislative policy of Congress;
- (D) Expenditures in excess of revenues, pursuant to the Act of June 5, 1930 (39 U. S. C. 793), not enumerated in the preceding subparagraphs (A), (B), or (C);
- (E) Expenditures for services of any character not otherwise enumerated herein which may be performed for other departments and agencies of the Government; and
- (F) Expenditures which may be justified only on a national welfare basis and not primarily as a business function.

46 Stat. 523.

(3) Expenditures for the Post Office Department by other Government agencies which should be considered in connection with the cost for the handling of the several classes of mail matter and special services, such as employees' retirement, use of Government buildings, and maintenance services.

(4) The extent, if any, to which Post Office Department expenditures in excess of revenue, for its various services and for the handling of various classes of mail, are justified as being in the public interest.

Powers.

(c) (1) The joint committee, or any duly authorized subcommittee thereof, is authorized (A) to hold such hearings; (B) to sit and act at such places and times; (C) to require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents; (D) to administer such oaths; (E) to take such testimony; (F) to procure such printing and binding; and (G) to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not exceed 25 cents per hundred words. The provisions of sections 102 to 104, inclusive, of the Revised Statutes shall apply in the case of any failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

Stenographic services.

2 U. S. C. §§ 192-194.

Personnel, etc.

(2) The joint committee is authorized to appoint and fix the compensation of such personnel as it deems necessary to assist it in the performance of its functions. Such compensation shall not be fixed at a rate in excess of the maximum rate payable under section 202 (e) of the Legislative Reorganization Act of 1946, as amended, in the case of employees of standing committees, except that the joint committee may employ part-time consultants, experts, and technicians at a per diem rate not in excess of \$50. The joint committee may also contract for the service of accounting and management engineering firms to assist it in the performance of its functions. Insofar as practicable, the joint committee shall employ persons familiar with the operation of the postal service, accounting practices, or problems of public transportation and distribution with special reference to rate making in those fields. The chairman and vice chairman of the joint committee are authorized to assign from time to time the members of the staff of their respective committees to duties and responsibilities in connection with the operation of such joint committee.

60 Stat. 835.
2 U. S. C. § 72a.

Reports to Congress.

(d) The joint committee shall report from time to time to the committees of the Senate and House of Representatives from which the membership of the joint committee was appointed, and shall submit its final report to the Senate and the House of Representatives not later than January 15, 1953, of the results of its study and investigation together with such recommendations as to necessary legislation as it may deem advisable. Upon the submission of such final report the joint committee shall cease to exist.

Termination of committee.

Appropriation authorized.

(e) There is hereby authorized to be appropriated not in excess of \$100,000 to carry out the purposes of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman and vice chairman of the joint committee.

REPEAL OF EXISTING PROVISIONS

SEC. 14. All existing laws or portions thereof, inconsistent or in conflict with this title, are hereby amended or repealed.

APPLICATION TO GUAM

SEC. 15. This Act shall have the same force and effect within Guam as within other possessions of the United States.

EFFECTIVE DATE

SEC. 16. This title shall take effect on the first day of the third calendar month following the calendar month in which it is enacted,

except the rates herein provided for second-class mail shall take effect on the first day of the second quarter beginning after the approval of this Act.

TITLE II

Annual and Sick
Leave Act of 1951.

SEC. 201. This title may be cited as the "Annual and Sick Leave Act of 1951".

COVERAGE AND EXEMPTIONS

SEC. 202. (a) Except as provided in subsection (b), this title shall apply to all civilian officers and employees of the United States and of the government of the District of Columbia, including officers and employees of corporations wholly owned or controlled by the United States.

(b) (1) This title shall not apply to—

(A) teachers and librarians of the public schools of the District of Columbia;

(B) part-time officers and employees (except hourly employees in the field service of the Post Office Department) for whom there has not been established a regular tour of duty during each administrative workweek;

(C) temporary employees engaged on construction work at hourly rates;

(D) employees of the Canal Zone Government and the Panama Canal Company when employed on the Isthmus of Panama;

(E) commissioned officers of the Public Health Service;

(F) commissioned officers of the Coast and Geodetic Survey;

(G) doctors, dentists, and nurses in the Department of Medicine and Surgery of the Veterans' Administration;

(H) officers and employees of the Senate and House of Representatives; and

(I) officers and employees of any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests.

(2) This title, except section 203 (g), shall not apply to alien employees who occupy positions outside the several States and the District of Columbia.

(3) Section 204 of this title shall not apply to officers and members of the Metropolitan Police and the Fire Department of the District of Columbia.

ANNUAL LEAVE

SEC. 203. (a) Officers and employees to whom this title applies shall be entitled to annual leave with pay which shall accrue as follows—

(1) one-half day for each full biweekly pay period in the case of officers and employees with less than three years of service,

(2) three-fourths day for each full biweekly pay period (except that the accrual for the last full biweekly pay period in the year shall be one and one-fourth days) in the case of officers and employees with three but less than fifteen years of service, and

(3) one day for each full biweekly pay period in the case of officers and employees with fifteen years or more of service.

In determining years of service for the purposes of this subsection, there shall be included all service creditable under the provisions of section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, for the purposes of an annuity under such Act and the determination of the period of service rendered may be made upon the basis of an affidavit of the employee. In the case of an officer or employee who is not paid on the basis of biweekly pay periods, the

Accrual rate.

46 Stat. 472.
5 U. S. C. § 707.

leave provided by this title shall accrue on the same basis as it would accrue if such officer or employee were paid on the basis of biweekly pay periods.

(b) Any change in the rate of accrual of annual leave by an officer or employee under the provisions of this section shall take effect as of the beginning of the pay period following the pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in which such officer or employee completes the prescribed period of service.

Accumulation, limitation.

(c) The annual leave provided for in this section, which is not used by an officer or employee, shall accumulate for use in succeeding years until it totals not to exceed sixty days at the end of the last complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, occurring in any year.

Employees outside U. S.

(d) Notwithstanding the provisions of subsection (c), a maximum accumulation not to exceed ninety days at the end of the last complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in any year is authorized to the following categories of employees of the Federal Government, other than officers and employees in the Foreign Service of the United States under the Department of State, stationed outside the several States and the District of Columbia:

(1) Persons directly recruited or transferred from the United States by the Federal Government.

(2) Persons employed locally but (A) who were originally recruited from the United States and have been in substantially continuous employment by other Federal agencies, United States firms, interests, or organizations, international organizations in which the United States Government participates, or foreign governments, and whose conditions of employment provide for their return transportation to the United States, or (B) who were at the time of employment temporarily absent from the United States for purposes of travel or formal study and maintained residence in the United States during such temporary absence.

(3) Persons who are not normally residents of the area concerned and who are discharged from the military service of the United States to accept employment with an agency of the Federal Government.

(e) Where an officer or employee to whom the provisions of subsection (d) are applicable, or who is in the Foreign Service of the United States under the Department of State, and whose post of duty is outside the several States and the District of Columbia returns to any such State or the District of Columbia on leave, the leave granted pursuant to this Act shall be exclusive of the time actually and necessarily occupied in going to and from his post of duty and such time as may be necessarily occupied in awaiting sailing or flight. The provisions of this subsection shall not apply with respect to more than one period of leave in any twenty-four month period.

Foreign Service.

(f) Officers and employees in the Foreign Service of the United States under the Department of State may be granted leave of absence, without regard to any other leave provided by this title, for use in the United States, its Territories or possessions, at a rate equivalent to one week for each four months of service outside the several States and the District of Columbia. Such leave may be accumulated for future use without regard to the limitation in subsection (c) but no such leave which is not used shall be made the basis for any terminal leave or lump-sum payment.

(g) Alien employees who occupy positions outside the several States and the District of Columbia may, in the discretion of the head of the department or agency concerned, be granted leave of absence with pay not in excess of the amount of annual and sick leave allowable under this title in the case of citizen employees.

Alien employees
outside U. S.

(h) The annual leave provided for in this section, including such leave as will accrue to any officer or employee during the year, may be granted at any time during such year as the heads of the various departments and independent establishments may prescribe.

Granting of leave.

(i) Notwithstanding the provisions of subsection (a), an officer or employee shall be entitled to annual leave under this title only after having been employed currently for a continuous period of ninety days under one or more appointments without break in service. In any case in which an officer or employee completes a period of continuous employment of ninety days there shall be credited to him an amount of annual leave equal to the amount which, but for this subsection, would have accrued to him under subsection (a) during such period.

Service require-
ment.

SICK LEAVE

SEC. 204. (a) Officers and employees to whom this title applies shall be entitled to sick leave with pay, which shall accrue on the basis of one-half day for each full biweekly pay period.

(b) The sick leave provided for in this section, which is not used by an officer or employee during the year in which it accrues, shall accumulate and be available for use in succeeding years.

(c) Not to exceed thirty days sick leave may be advanced in cases of serious disability or ailments and when required by the exigencies of the situation.

GENERAL PROVISIONS

SEC. 205. (a) The days of leave provided for in this title shall mean days upon which an employee would otherwise work and receive pay, and shall be exclusive of holidays, and all nonworkdays established by Federal statute or by Executive or administrative order.

Days of leave.

(b) An employee shall be considered for the purposes of this title to have been employed for a full biweekly pay period if he shall have been employed during the days within such period, exclusive of holidays and all nonworkdays established by Federal statute or by Executive or administrative order, which fall within his basic administrative workweek.

Pay-period employ-
ment.

(c) Part time officers and employees, unless otherwise excepted, shall be entitled on a pro rata basis to the benefits provided by sections 203 and 204 of this title.

Part-time employ-
ees.

(d) The authorized absence of a rural carrier on Saturdays which occur within or at the beginning or end of a period of sick or annual leave of five or more days' duration (or four days' duration if a holiday falls within or at the beginning or end of the period of sick or annual leave) shall be without charge to such leave or loss of compensation. Saturdays occurring in a period of annual or sick leave taken in a smaller number of days may at the option of the carrier be charged to his accrued leave and when so charged he shall be paid for such absence.

Rural carriers.

REGULATIONS

SEC. 206. The Civil Service Commission is authorized to prescribe such rules and regulations as may be necessary to provide for the administration of this title.

REPEALS

SEC. 207. (a) The following Acts or parts of Acts are hereby repealed:

- (1) The Act entitled "An Act to provide for vacations to Government employees, and for other purposes", approved March 14, 1936 (49 Stat. 1161).
- (2) The Act entitled "An Act to standardize sick leave and extend it to all civilian employees", approved March 14, 1936 (49 Stat. 1162).
- (3) Section 6 of the Act entitled "An Act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedure for computing compensation; and for other purposes", approved July 6, 1945, as amended (59 Stat. 435).
- (4) The paragraph under the heading "Public Printing and Binding" in the Act entitled "An Act making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, and for other purposes", approved June 11, 1896 (44 U. S. C. 45), relating to leaves of absence of employees of the Government Printing Office.
- (5) The third proviso in the Act of August 29, 1916 (34 U. S. C. 513).
- (6) Sections 931 and 932 of the Foreign Service Act of 1946.
- (7) Section 601 of the Independent Offices Appropriation Act, 1952.
- (b) Section 2 of the Act entitled "An Act to provide for the promotion of substitute employees in the postal service, and for other purposes", approved April 15, 1947 (61 Stat. 40), is amended by striking out the words "and leave".

SAVING PROVISION

SEC. 208. (a) In any case in which—

- (1) the amount of accumulated annual leave carried over into the calendar year 1952 by an officer or employee under provisions of law applicable to such officer or employee on December 31, 1951, is in excess of the amount allowable under the applicable provisions of section 203, or

Ante, p. 679.

- (2) the amount of accumulated annual leave to the credit of an officer or employee who is subject to the provisions of section 203 (d) and who becomes subject to the provisions of section 203 (c) is in excess of the amount allowable under section 203 (c), such excess shall remain to the credit of such officer or employee until used, but the use during any year of an amount of leave in excess of the aggregate amount which shall have accrued during such year shall automatically reduce the maximum allowable accumulation at the end of the last complete biweekly pay period in any year until the accumulation of such officer or employee no longer exceeds the amount prescribed in the applicable provisions of section 203.

(b) An officer or employee heretofore subject to a system of leave administered on a calendar-day basis shall be deemed to have to his credit on the effective date of this title five-sevenths day of leave chargeable as provided in section 205 (a) for each calendar day's leave to his credit on such date.

(c) No officer or employee shall be considered, by reason of the enactment of this title, to have been transferred to an agency under a different leave system within the meaning of the Act entitled "An Act to provide for the payment to certain Government employees for accumulated or accrued annual leave upon their separation from Government service", approved December 21, 1944 (5 U. S. C. 61d).

58 Stat. 845.
Postal service.
Annual and sick
leave.

(d) Any person who served during the period from December 1, 1950, to January 6, 1952, as an employee in the postal service, other

than a substitute rural carrier, under a temporary or indefinite appointment for not less than ninety days and who shall not have been separated from the postal service prior to January 6, 1952, shall be deemed to have earned annual leave at the rate of fifteen days per year and sick leave at the rate of 10 days per year, and for such purposes shall receive credit for one-twelfth of a year for each whole calendar month he was carried on the roll as a temporary or indefinite employee during such period.

EFFECTIVE DATE

SEC. 209. This title shall take effect on January 6, 1952, except that paragraph (7) of section 207 (a) shall take effect as of the date of enactment of the Independent Offices Appropriation Act, 1952.

Ante, p. 268.

Approved October 30, 1951.

Public Law 234

CHAPTER 632

AN ACT

To amend the Railroad Retirement Act and the Railroad Unemployment Insurance Act, and for other purposes.

October 30, 1951
[H. R. 3669]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Railroad Retirement Act of 1937, as amended, is amended by substituting in the last sentence of subsection (f) thereof the phrase "one hundred twenty-six" for the phrase "fifty-four" and by adding after subsection (p) thereof a new subsection as follows:

Railroad Retirement Acts; Railroad Unemployment Insurance Act, amendments.
50 Stat. 307.
45 U. S. C. § 228a.

"(q) The terms 'Social Security Act' and 'Social Security Act, as amended' shall mean the Social Security Act as amended in 1950."

SEC. 2. Subsection (a) of section 2 of the Railroad Retirement Act of 1937, as amended, is amended by inserting in the first sentence thereof, after "enactment date," the following: "and shall have completed ten years of service," ; and by inserting in the first sentence of paragraph 5 of said subsection a period after the phrase "regular employment" and striking out all of that sentence following that phrase.

45 U. S. C. § 228b.

SEC. 3. Subsection (c) of section 2 of the Railroad Retirement Act of 1937, as amended, is amended by substituting for the phrase "sixty days", the phrase "six months".

45 U. S. C. § 228c-1.

SEC. 4. Section 4 of the Railroad Retirement Act of 1937, as amended, is amended by substituting for the phrase "sixty days" in subsection (k) thereof the phrase "six months".

45 U. S. C. § 228b.

SEC. 5. Section 2 of the Railroad Retirement Act of 1937, as amended, is amended by adding after subsection (d) thereof the following new subsections:

"(e) SPOUSE'S ANNUITY.—The spouse of an individual, if—

"(i) such individual has been awarded an annuity under subsection (a) or a pension under section 6 and has attained the age of 65, and

45 U. S. C. § 228f.

"(ii) such spouse has attained the age of 65 or in the case of a wife, has in her care (individually or jointly with her husband) a child who, if her husband were then to die, would be entitled to a child's annuity under subsection (c) of section 5 of this Act,

45 U. S. C. § 228e.
Post, p. 685.

shall be entitled to a spouse's annuity equal to one-half of such individual's annuity or pension, but not more than \$40: *Provided, however*, That if the annuity of the individual is awarded under paragraph 3 of subsection (a), the spouse's annuity shall be computed or recomputed as though such individual had been awarded the annuity to which he would have been entitled under paragraph 1 of said subsec-