

surplus of at least \$2,000,000, and is a member of the Federal Reserve System. Any bank or trust company so approved shall certify to the Commission the result of such submission and the Commission may, in its discretion, rely upon such certification as conclusive evidence in determining the result of such submission. If the Commission shall find that as a result of such submission the proposed alteration or modification has been assented to by the holders of at least 75 per centum of the aggregate principal amount or number of shares outstanding of each class of securities affected thereby (or as to any class (i) where 75 per centum thereof is held by fewer than twenty-five holders, or (ii) which is entitled to vote for the election of directors of the carrier and the assents of the holders of 25 per centum or more thereof are determined by the Commission to be within the control of the carrier or of any person or persons controlling the carrier, such larger percentage, if any, as the Commission may determine to be just and reasonable and in the public interest), the Commission shall enter an order approving and authorizing the proposed alteration or modification upon the terms and conditions and with the amendments, if any, so determined to be just and reasonable."

Securities affected by alteration.
62 Stat. 165.

SEC. 2. Paragraph (3) of section 20b of the Interstate Commerce Act, as amended (49 U. S. C., sec. 20b (3)), is amended by striking out the last sentence and inserting in lieu thereof the following: "For the purposes of this section a security (other than a security entitled to vote for the election of directors of the carrier) or an evidence of indebtedness shall not be deemed to be outstanding if, in the determination of the Commission, the assent of the holder thereof to any proposed alteration or modification is within the control of the carrier or of any person or persons controlling the carrier. The Commission shall, for the purposes of this section, divide the securities to be affected by any proposed alteration or modification into such classes as it shall determine to be just and reasonable."

Effective date.

SEC. 3. The amendments made by this Act shall take effect on the first day of the fourth month following the month in which this Act is enacted.

Approved August 16, 1957.

Public Law 85-151

AN ACT

August 16, 1957
[H. R. 8053]

To authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians.

Indian health facilities.
Assistance.
42 USC 2001-2004.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the Surgeon General of the Public Health Service, in carrying out his functions under the Act of August 5, 1954 (68 Stat. 674) with respect to the provision of health services to Indians in any particular area, determines, after consultation with such Indians, that the provision of financial assistance to one or more public or other nonprofit agencies or organizations for the construction of a community hospital constitutes a method of making needed hospital facilities available for such Indians which is more desirable and effective than direct Federal construction, he may provide such financial assistance from funds available for the construction of Indian health facilities for such Indians.

SEC. 2. The amount of such financial assistance shall not exceed that portion of the reasonable cost of the construction project which is attributable to the Indian health needs, as determined by the Surgeon General: *Provided*, That in determining, for the purposes of this Act, the portion of the cost of the construction project attributable to Indian health needs, the Surgeon General shall take into account only those categories of Indians for which hospital and medical care, including outpatient care and field health services, is being provided by or at the expense of the Public Health Service on the date of enactment of this Act.

Restriction on amount.

SEC. 3. As a condition to providing assistance under section 1, the Surgeon General shall—

Condition.

(a) require plans and specifications meeting such standards of construction and equipment as he may prescribe, and

(b) obtain such assurances and agreements as in his judgment are equitable in the light of the financial assistance provided under this Act and are necessary to assure the availability of the facility for the provision of hospital and medical care to Indians and to assure that the hospital is operated in compliance with State standards for operation and maintenance of hospitals which receive Federal aid under title VI of the Public Health Service Act (42 U. S. C., ch. 6A, subch. IV).

SEC. 4. The Surgeon General shall make payments under section 1 in advance or by way of reimbursement and in such installments consistent with construction progress, as he may determine.

60 Stat. 1041.
42 USC 291-291n.
Payment.

SEC. 5. Neither assistance provided under this Act for meeting part of the cost of construction of a hospital project, nor the giving of any assurance required as a condition of such assistance, shall be construed as affecting in any way the eligibility of such project for aid under title VI of the Public Health Service Act or any other Federal Act authorizing financial aid in the construction of such project, but construction costs met with Federal funds made available under this Act shall not be included in the cost of construction in which the Federal Government shares under such title VI or other Federal Act.

Eligibility for construction aid.

SEC. 6. As used in this Act:

Definitions.

(a) "Hospital" includes diagnostic or treatment centers and general hospitals, and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care;

(b) "Diagnostic or treatment center" means a facility for the diagnosis or diagnosis and treatment of ambulatory patients—

(1) which is operated in connection with a hospital, or

(2) in which patient care is under the professional supervision of persons licensed to practice medicine or surgery in the State, or, in the case of dental diagnosis or treatment, under the professional supervision of persons licensed to practice dentistry in the State.

(c) "Nonprofit" means owned or 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.

(d) "Construction" means construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities), including architects and engineering fees, but excluding legal fees, the cost of off-site improvements and the cost of the acquisition of land.

Administration,
etc.

SEC. 7. Except as otherwise specifically provided, nothing in this Act shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital, with respect to which any funds have been or may be expended under this Act.

Approved August 16, 1957.

Public Law 85-152

AN ACT

August 16, 1957
[S. 42]

To provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes.

San Angelo Federal
Reclamation
project, Tex.

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 San Angelo Federal reclamation project, Texas, for the principal purposes of furnishing water for the irrigation of approximately ten thousand acres of land in Tom Green County and municipal, domestic, and industrial use, controlling floods, providing recreation and fish and wildlife benefits, and controlling silt. The principal engineering features of said project shall be a dam and reservoir at or near the Twin Buttes site, outlet works at the existing Nasworthy Dam, and necessary canals, drains, and related works.

Authority.

43 USC 391.

Contract.

SEC. 2. (a) In constructing, operating, and maintaining the San Angelo project, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except as is otherwise provided in this Act.

(b) Actual construction of the project shall not be commenced, and no construction contract therefor shall be awarded, until a contract or contracts complying with the provisions of this Act have been entered into for payment of those portions of the construction cost of the project which are allocated to irrigation and to municipal, domestic, and industrial water.

Water rates.

(c) In furnishing water for irrigation and for municipal, domestic, and industrial uses from the project, the Secretary shall charge rates with the object of returning to the United States over a period of not more than forty years, exclusive of any development period for irrigation, all of the costs incurred by it in constructing, operating, and maintaining the project which the Secretary finds to be properly allocable to the purposes aforesaid and of interest on the unamortized balance of the portion of the construction cost which is allocated to municipal, domestic, and industrial water. Said interest shall be at 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. When all of the said costs allocable to said purpose incurred by the United States in constructing, operating, and maintaining the project, together with said interest on the said unamortized balance, have been returned to the United States, the contracting organization or organizations which have thus reimbursed the United States shall have a permanent right to use that portion of the storage space in the project thus allocable to said uses.

Interest.

Storage space.

Repayment con-
tract prerequisites.

(d) Any contract entered into under section 9, subsection (d), of the Reclamation Project Act of 1939 (53 Stat. 1197, 1193, 43 U. S. C., sec. 485h (d)) for payment of those portions of the costs of constructing, operating, and maintaining the project which are allocated