

Public Law 86-366

AN ACT

To waive section 142, of title 28, United States Code, with respect to the United States District Court for the Eastern District of Oklahoma holding Court at Durant, Oklahoma.

September 22, 1959
[H. R. 7979]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations and restrictions contained in section 142, title 28, of the United States Code, shall be waived insofar as pertains to holding court by the United States District Court for the Eastern District of Oklahoma at Durant, Oklahoma.

62 Stat. 898.

Approved September 22, 1959.

Public Law 86-367

AN ACT

To amend the Small Business Act, and for other purposes.

September 22, 1959
[H. R. 8599]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 4(c) of the Small Business Act is amended—

72 Stat. 690.
15 USC 633.

(1) by striking out “\$900,000,000” in two places and inserting in lieu thereof “\$975,000,000”; and

(2) by striking out “\$500,000,000” and inserting in lieu thereof “\$575,000,000”.

SEC. 2. Subsection 7(d) of the Small Business Act is amended by striking out the last sentence thereof: *Provided, however,* That nothing in this section shall prevent the use of the funds made to remain available for grants for research and management counseling during the fiscal year ending June 30, 1960, by title III of Public Law 86-88.

72 Stat. 698.
15 USC 636.

Ante, p. 209.

Approved September 22, 1959.

Public Law 86-368

AN ACT

To amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes.

September 22, 1959
[H. R. 8685]

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

SECTION 1. CHIEF COUNSEL FOR THE INTERNAL REVENUE SERVICE, ETC.

Section 7801 of the Internal Revenue Code of 1954 (relating to the authority of the Department of the Treasury) is amended to read as follows:

68A Stat. 915.

“SEC. 7801. AUTHORITY OF THE DEPARTMENT OF THE TREASURY.

“(a) POWERS AND DUTIES OF SECRETARY.—Except as otherwise expressly provided by law, the administration and enforcement of this

title shall be performed by or under the supervision of the Secretary of the Treasury.

“(b) OFFICE OF GENERAL COUNSEL FOR THE DEPARTMENT.—

“(1) GENERAL COUNSEL.—There shall be in the Department of the Treasury the office of General Counsel for the Department of the Treasury. The General Counsel shall be appointed by the President, by and with the advice and consent of the Senate. The General Counsel shall be the chief law officer of the Department and shall perform such duties as may be prescribed by the Secretary.

“(2) ASSISTANT GENERAL COUNSELS.—The President is authorized to appoint, by and with the advice and consent of the Senate, an Assistant General Counsel who shall be the Chief Counsel for the Internal Revenue Service and shall receive basic compensation at the annual rate of \$19,000. The Chief Counsel shall be the chief law officer for the Internal Revenue Service and shall perform such duties as may be prescribed by the Secretary. The Secretary may appoint, without regard to the provisions of the civil service laws, and fix the duties of not to exceed five other assistant General Counsels.

“(3) ATTORNEYS.—The Secretary may appoint and fix the duties of such other attorneys as he may deem necessary.

“(c) FUNCTIONS OF DEPARTMENT OF JUSTICE UNAFFECTED.—Nothing in this section shall be considered to affect the duties, powers, or functions imposed upon, or vested in, the Department of Justice, or any officer thereof, by law existing on May 10, 1934.”

SEC. 2. TECHNICAL AMENDMENTS.

(a) Section 7452 of the Internal Revenue Code of 1954 (relating to representation of parties before the Tax Court) is amended by striking out “Assistant General Counsel of the Treasury Department serving as Chief Counsel of the Internal Revenue Service, or the delegate of such Chief Counsel,” and inserting in lieu thereof “Chief Counsel for the Internal Revenue Service or his delegate”.

(b) Section 8023 of the Internal Revenue Code of 1954 (relating to additional powers of the Joint Committee to obtain data) is amended as follows:

(1) By striking out “(including the Assistant General Counsel of the Treasury Department serving as the Chief Counsel of the Internal Revenue Service)” in subsection (a) thereof and inserting in lieu thereof “or the office of the Chief Counsel for the Internal Revenue Service”.

(2) By striking out “(including the Assistant General Counsel of the Treasury Department serving as the Chief Counsel of the Internal Revenue Service)” in subsection (b) thereof and inserting in lieu thereof “, the office of the Chief Counsel for the Internal Revenue Service”.

SEC. 3. EFFECTIVE DATES.

(a) Except as otherwise provided in this Act, the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) The amendments made by section 2 of this Act shall take effect when the Chief Counsel for the Internal Revenue Service first appointed pursuant to the amendment made by section 1 of this Act qualifies and takes office.

68A Stat. 884.

68A Stat. 928.

SEC. 4. SAVING PROVISIONS.

(a) The position of the Assistant General Counsel serving as Chief Counsel of the Internal Revenue Service shall continue to exist until such time as the Chief Counsel for the Internal Revenue Service first appointed pursuant to the amendment made by section 1 of this Act qualifies and takes office, and at such time such position is hereby abolished.

(b) Except as provided in subsection (a), this Act shall not be construed to abolish, terminate, or otherwise change, any office or position, or the appointment or employment of any officer or employee, existing immediately preceding the enactment of this Act, but the same shall continue unless and until changed by lawful authority.

(c) Any delegation of authority made pursuant to Reorganization Plan Numbered 26 of 1950 or Reorganization Plan Numbered 1 of 1952, including any redelegation of authority made pursuant to any such delegation of authority, and in effect immediately preceding the enactment of this Act shall, notwithstanding the amendment made by section 1 of this Act, remain in effect unless distinctly inconsistent or manifestly incompatible with such amendment. The preceding sentence shall not be construed as limiting in any manner the power to amend, modify, or revoke any such delegation or redelegation of authority.

Approved September 22, 1959.

64 Stat. 1280;
66 Stat. 823.
5 USC 133z-15
note.

Public Law 86-369

AN ACT

For the relief of the State of Oklahoma.

September 23, 1959
[H. R. 7605]

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 Oklahoma, for the sole use of highway projects of such State, the sum of \$652,019.71. The payment of such sum shall be in full settlement of all claims of the State of Oklahoma against the United States by reason of an agreement, made by the United States through the Works Projects Administration, under a stipulation filed on February 25, 1941, in the case of United States versus Phillips and others (civil action numbered 351 in the United States District Court for the Northern District of Oklahoma), for the Works Projects Administration to participate in certain highway projects in the Grand River Dam Reservoir area undertaken by the State Highway Commission of the State of Oklahoma and necessitated by reason of the construction of the Grand River Dam. The payment provided for herein is in accordance with the recommendation of the Court of Claims in its decision dated June 3, 1959, in congressional case numbered 10-55, a congressional reference case resulting from H. Res. 278, Eighty-fourth Congress, first session: *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 September 23, 1959.