

Public Law 86-370

AN ACT

September 23, 1959
[S. 1845]

To provide for the reestablishment of the rates of basic compensation for certain Government positions, and for other purposes.

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

POSITIONS OF EXAMINER-IN-CHIEF AND DESIGNATED EXAMINER-IN-CHIEF
IN THE PATENT OFFICE

66 Stat. 792.

SECTION 1. (a) Section 3 of title 35 of the United States Code is amended by adding at the end thereof the following sentence: "The Secretary of Commerce is authorized to fix the per annum rate of basic compensation of each examiner-in-chief in the Patent Office at not in excess of the maximum scheduled rate provided for positions in grade 17 of the General Schedule of the Classification Act of 1949, as amended."

63 Stat. 954.
5 USC 1071 note.

72 Stat. 1793.

(b) The last sentence of section 7 of title 35 of the United States Code is amended to read as follows: "The Secretary of Commerce is authorized to fix the per annum rate of basic compensation of each designated examiner-in-chief in the Patent Office at not in excess of the maximum scheduled rate provided for positions in grade 16 of the General Schedule of the Classification Act of 1949, as amended. The per annum rate of basic compensation of each designated examiner-in-chief shall be adjusted, at the close of the period for which he was designated to act as examiner-in-chief, to the per annum rate of basic compensation which he would have been receiving at the close of such period if such designation had not been made."

(c) The amendments made by this section shall not affect—

(1) any position of examiner-in-chief or designated examiner-in-chief existing immediately prior to the effective date of this section, or

(2) any incumbent of any such position, his appointment thereto, his rate of compensation, or his right to receive such compensation,

until appropriate action is taken under authority of such amendments.

POSITIONS IN GRADES 16, 17, AND 18 OF THE GENERAL SCHEDULE OF THE
CLASSIFICATION ACT OF 1949

63 Stat. 959.

SEC. 2. (a) Section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105), is amended by adding at the end thereof the following:

"(k) The Secretary of the Treasury (or his designee for the purpose) is authorized, subject to the standards and procedures prescribed by this Act, to place a total of two hundred and sixty positions in the Department of the Treasury in grades 16, 17, and 18 of the General Schedule, as follows:

"(1) not more than one hundred and eighty-four such positions shall be in such grades during the period beginning on the date of enactment of this subsection and ending on June 30, 1960;

"(2) not more than two hundred and twenty-two such positions shall be in such grades during the period beginning on July 1, 1960, and ending on June 30, 1961; and

"(3) not more than two hundred and sixty such positions shall be in such grades on and after July 1, 1961."

(b) Section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), is amended—

63 Stat. 959.

(1) by striking out “fourteen hundred and eighty-three” and inserting in lieu thereof “fourteen hundred and twenty-nine”;

(2) by striking out “three hundred and ninety-seven” and inserting in lieu thereof “three hundred and seventy-one”; and

(3) by striking out “one hundred and fifty-seven” and inserting in lieu thereof “one hundred and fifty-three”.

(c) Nothing contained in this section shall affect—

(1) any position existing under authority of section 505(b) of the Classification Act of 1949, as in effect immediately prior to the date of enactment of this Act, or

(2) the compensation attached to any such position and any incumbent thereof, his appointment thereto, and his right to receive the compensation attached thereto, until appropriate action is taken under authority of subsection (k) of section 505 of the Classification Act of 1949, as contained in the amendment made by subsection (a) of this section.

POSITIONS IN CERTAIN DEPARTMENTS AND AGENCIES SUBJECT TO THE
FEDERAL EXECUTIVE PAY ACT OF 1956

SEC. 3. (a) Section 106(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2205(a)), which prescribes an annual rate of basic compensation of \$20,000 for certain positions, is amended by adding at the end thereof the following paragraphs:

70 Stat. 737.

“(46) Commissioner of Social Security.

“(47) Commissioner of Education.”.

(b) Section 106(b) of such Act, as amended (5 U.S.C. 2205(b)), which prescribes an annual rate of basic compensation of \$19,000 for certain positions, is amended by adding at the end thereof the following paragraphs:

“(10) Deputy Commissioner of the Internal Revenue Service.

“(11) Chief Counsel of the Internal Revenue Service.

“(12) Administrative Assistant Attorney General.

“(13) Administrative Assistant Secretary of the Interior.

“(14) Administrative Assistant Secretary of Agriculture.

“(15) Administrative Assistant Secretary of Labor.

“(16) Administrative Assistant Secretary of the Treasury.”.

(c) Section 107(a) of such Act, as amended (5 U.S.C. 2206(a)), is amended by striking out “(1) Administrator, Agricultural Research Service, Department of Agriculture.”, “(18) Commissioner of Social Security.”, and “(20) Deputy Commissioner of the Internal Revenue Service.”.

70 Stat. 739.

ADDITIONAL SCIENTIFIC AND PROFESSIONAL POSITIONS FOR RESEARCH AND
DEVELOPMENT PURPOSES

SEC. 4. (a) Subsection (e) of the first section of the Act of August 1, 1947 (Public Law 313, Eightieth Congress), as added by section 12(c) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 213; Public Law 85-462), is amended to read as follows:

5 USC 1161 and
note.

“(e) The Secretary of Agriculture is authorized to establish and fix the compensation for not more than fifteen scientific or professional positions in the Department of Agriculture, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.”.

(b) Subsection (f) of the first section of the Act of August 1, 1947 (Public Law 313, Eightieth Congress), as added by section 12(c) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 213; Public Law 85-462), is amended to read as follows;

“(f) The Secretary of Health, Education, and Welfare is authorized to establish and fix the compensation for not more than ten scientific or professional positions in the Department of Health, Education, and Welfare, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.”.

REDESIGNATION OF THE POSITION OF ASSISTANT DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SEC. 5. (a) (1) Sections 601, 603, and 606 of title 28 of the United States Code are amended by striking out the words “Assistant Director” wherever they appear in such sections and inserting in lieu thereof the words “Deputy Director”.

(2) The analysis at the beginning of chapter 41 of such title is amended by striking out the words “Assistant Director” in the items thereof relating to sections 601 and 606 and inserting in lieu thereof the words “Deputy Director”.

(3) Section 107(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2206(a)), is amended by striking out “(6) Assistant Director of the Administrative Office of the United States Courts.” and inserting in lieu thereof “(6) Deputy Director of the Administrative Office of the United States Courts.”.

(4) Whenever the Assistant Director of the Administrative Office of the United States Courts is referred to in any other law, such reference shall be deemed to be to the Deputy Director of the Administrative Office of the United States Courts.

(b) The Director of the Administrative Office of the United States Courts, may, in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), procure the temporary or intermittent services of experts or consultants at rates not in excess of \$75 per diem.

MISCELLANEOUS

SEC. 6. (a) Section 202 of the Classification Act of 1949, as amended (5 U.S.C. 1082), is amended—

(1) by changing to a semicolon the period at the end of paragraph (32) of such section 202, which paragraph (32) was added to such section 202 by the first section of the Act of May 29, 1959 (73 Stat. 63; Public Law 86-36);

(2) by redesignating, as paragraph (33) of such section 202, paragraph (32) thereof which was added by section 3 of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 213; Public Law 86-91);

(3) by changing to a semicolon the period at the end of such paragraph (33), as redesignated by subparagraph (2) of this subsection; and

(4) by adding at the end of such section 202 the following paragraph:

“(34) examiners-in-chief and designated examiners-in-chief in the Patent Office in the Department of Commerce.”.

(b) Section 5(b) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 214; Public Law 86-91) is amended—

(1) by striking out "paragraph (32) of section 202 of such Act, as added by section 3 of this Act," and inserting in lieu thereof "paragraph (33) of section 202 of such Act, added by section 3 of this Act,"; and

(2) by striking out "such paragraph (32)" and inserting in lieu thereof "such paragraph (33)".

EFFECTIVE DATES

SEC. 7. (a) This section, and sections 2, 4, and 5 of this Act, shall become effective on the date of enactment of this Act.

(b) Sections 1, 3, and 6 of this Act shall become effective on the first day of the first pay period which begins after the date of enactment of this Act.

Approved September 23, 1959.

Public Law 86-371

AN ACT

To amend the Act of July 17, 1952.

September 23, 1959
[S. 2282]

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 relating to withholding, for State income tax purposes, on the compensation of Federal employees", approved July 17, 1952 (66 Stat. 765; 5 U.S.C. 84b-84c), is amended to read as follows:

Federal employ-
ees.
Withholding of
State income
taxes.

"That where—

"(1) the law of any State or Territory provides for the collection of a tax by imposing upon employers generally the duty of withholding sums from the compensation of employees and making returns of such sums to the authorities of such State or Territory, and

"(2) such duty to withhold is imposed generally with respect to the compensation of employees who are residents of such State or Territory,

then the Secretary of the Treasury, pursuant to regulations promulgated by the President, is authorized and directed to enter into an agreement with such State or Territory within one hundred and twenty days of the request for agreement from the proper officials of such State or Territory. Such agreement shall provide that the head of each department or agency of the United States shall comply with the requirements of such law in the case of employees of such agency or department who are subject to such tax and whose regular place of Federal employment is within the State or Territory with which such agreement is entered into. No such agreement shall apply with respect to compensation for service as a member of the Armed Forces of the United States.

"SEC. 2. Nothing in this Act shall be deemed to consent to the application of any provision of law which has the effect of imposing more burdensome requirements upon the United States than it imposes upon other employers, or which has the effect of subjecting the United States or any of its officers or employees to any penalty or liability by reason of the provisions of this Act. However, no department or agency of the United States shall, after March 31, 1959, accept compensation from any State or Territory for services rendered in withholding State or Territorial income taxes from the salaries of employees of such department or agency."

Approved September 23, 1959.