

Public Law 87-367

AN ACT

October 4, 1961
[H. R. 7377]

To increase the limitation on the number of positions which may be placed in the top grades of the Classification Act of 1949, as amended, to provide certain additional research and development positions, and for other purposes.

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

Classification
Act of 1949, amend-
ments.TITLE I—POSITIONS IN TOP GRADES OF CLASSIFICA-
TION ACT OF 1949CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY WITH RESPECT TO
TOP GRADES OF CLASSIFICATION ACT OF 1949

SEC. 101. (a) The Congress hereby finds that—

(1) the public interest requires that effective limitations and controls be established and maintained with respect to the allocation of positions—whether by law or by administrative action—to grades 16, 17, and 18 of the Classification Act of 1949—the so-called top grades below the Federal executive level in the Government service—in order to prevent the unwarranted allocation of positions to such grades and to promote efficiency and economy in the operation of the Government;

63 Stat. 954.
5 USC 1071 note.

(2) one of the principal purposes of the Classification Act of 1949, as originally enacted and as amended from time to time, was, and continues to be, the establishment and maintenance, by specific provisions of such Act, of a coordinated and comprehensive authority and control over the allocation of positions to these top grades of such Act;

(3) under the rules of the Senate and the rules of the House of Representatives, as applicable, and the Legislative Reorganization Act of 1946, the Committee on Post Office and Civil Service of the Senate and the Committee on Post Office and Civil Service of the House of Representatives are vested with exclusive legislative jurisdiction, and charged with the duty of exercising legislative oversight and supervision, with respect to all matters within the purview of the Classification Act of 1949 and the administration thereof, including the allocation of positions to these top grades of such Act;

60 Stat. 812.
2 USC 72a note.

(4) this legislative authority, duty, and jurisdiction of such committees, and the orderly and established legislative processes of the Congress generally in this respect, are being undermined by the increasing practice, resulting from certain solicitations from individual departments and agencies in the executive branch and elsewhere, of allocating additional numbers of positions to such top grades by means of appropriation Acts and other laws and reorganization plans (other than the Classification Act of 1949) which disregard the numerical limitations or the standards and procedures, or both, with respect to the allocation of positions to such grades;

(5) at the present time, therefore, the pertinent provisions of the Classification Act of 1949 do not reflect, even by approximation, the existing state of the law with respect to the total number of positions which may be allocated to the top grades of such Act; and

(6) this state of affairs subverts and undermines the object and purpose of the Classification Act of 1949 with respect to the allocation of positions to such top grades of such Act.

(b) It is, therefore, hereby declared to be the sense of the Congress—

(1) that the matter of requesting the allocation of additional numbers of positions to the top grades of the Classification Act of 1949, whether by groups of positions or on an individual basis, is properly within the jurisdiction of those standing committees of the Senate and House of Representatives having jurisdiction over the Classification Act of 1949 in accordance with orderly and established legislative processes—the Committee on Post Office and Civil Service of the Senate and the Committee on Post Office and Civil Service of the House of Representatives;

(2) that the Director of the Bureau of the Budget, the United States Civil Service Commission, and other authority designated by the President exercise to the fullest extent the authority and responsibility of disapproving requests of the departments and agencies in the executive branch for individual exceptions (to be attained through the enactment of laws outside the jurisdiction of the committees above referred to) from the numerical limitations or the standards and procedures, or both, imposed by the Classification Act of 1949 with respect to the allocation of positions to the top grades of such Act; and

(3) that, if need should develop for increasing such numerical limitations or waiving such standards or procedures, or both, in any case or cases, the matter should be presented promptly to the Congress in a manner consistent with the legislative authority, duty, responsibility, and jurisdiction of the respective Committees on Post Office and Civil Service of the Senate and House of Representatives.

INCREASE IN NUMBER OF AUTHORIZED TOP GRADE POSITIONS UNDER
CLASSIFICATION ACT OF 1949

SEC. 102. (a) Subsection (b) of section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), relating to the maximum number of positions authorized at any one time for grades 16, 17, and 18 of the General Schedule of such Act, is amended to read as follows:

“(b) Subject to subsections (c), (d), (e), (f), (g), and (j) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum numbers of positions (not to exceed an aggregate of nineteen hundred and eighty-nine) which may be in grades 16, 17, and 18 of the General Schedule at any one time, except that under such authority—

“(1) not to exceed 25 per centum of such aggregate number may be placed in grade 17 and not to exceed 12 per centum of such aggregate number may be placed in grade 18;

“(2) fifty of such positions shall be available only for allocation, with the approval of the President, for agencies or functions created after the date of enactment of this subparagraph;

“(3) fourteen of such positions shall be available only for allocation to the United States Arms Control and Disarmament Agency;

“(4) six of such positions shall be available only for allocation to the Immigration and Naturalization Service of the Department of Justice; and

“(5) four of such positions shall be available only for allocation to the Federal Home Loan Bank Board.”

(b) Subsection (j) of such section 505, as amended (5 U.S.C. 1105(j)), relating to positions authorized for the Department of Defense in grades 16, 17, and 18 of the General Schedule of the Classifica-

63 Stat. 954.
5 USC 1071 note.

63 Stat. 959; 74
Stat. 305.

Ante, p. 631.

73 Stat. 700.

tion Act of 1949, is amended by striking out "three hundred seventy-two positions" and inserting in lieu thereof "four hundred seven positions".

(c) Such section 505, as amended, is amended by adding at the end thereof the following new subsection:

5 USC 1105.

"(m) In any case in which, during the Eighty-seventh Congress, provisions are included in any Act of Congress (other than those contained in this Act) which authorize any agency of the Government to place additional positions in grade 16, 17, or 18 of the General Schedule, the Commission is authorized and directed to withdraw from such agency the allotments of a number of positions (equal to the number of such additional positions authorized under such Act of Congress) made by the Commission for such agency out of the number of positions authorized by subsection (b) of this section, to the extent possible in the light of the number of positions so allotted to such agency and in the light of the number of such additional positions authorized under such Act of Congress."

CONFORMING CHANGES IN EXISTING LAW

SEC. 103. The following provisions of law are hereby repealed:

Repeals.

(1) Subsections (f), (k), and (l) of section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105 (f), (k), and (l)), authorizing five positions, two hundred and sixty positions, and twenty-five positions in grades 16, 17, and 18 of the General Schedule of such Act for the National Security Council, the Department of the Treasury, and the Interstate Commerce Commission, respectively.

(2) Sections 202(b) and 302(j) of the Federal Aviation Act of 1958 (72 Stat. 742 and 747; 49 U.S.C. 1322(b) and 1343(h)), authorizing eight positions and seventy positions in grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949 for the Civil Aeronautics Board and the Federal Aviation Agency, respectively.

(3) The last sentence of section 5(a) of the Small Business Act (72 Stat. 385; 15 U.S.C. 634(a)), authorizing fifteen positions in grades 16, 17, and 18 of such General Schedule for the Small Business Administration.

(4) Section 205(a) (11) of the National Capital Transportation Act of 1960 (74 Stat. 543; Public Law 86-669), authorizing five positions in grades 16, 17, and 18 of such General Schedule for the National Capital Transportation Agency.

40 USC 665.

(5) The proviso in the paragraph under the heading "FEDERAL POWER COMMISSION" and under the subheading "SALARIES AND EXPENSES" in title I of the Independent Offices Appropriation Act, 1961 (74 Stat. 429; Public Law 86-626), authorizing six positions in grades 16, 17, and 18 of such General Schedule for the Federal Power Commission.

16 USC 793a.

(6) The proviso in the paragraph under the heading "CIVIL AERONAUTICS BOARD" and under the subheading "SALARIES AND EXPENSES" in title III of the Department of Commerce and Related Agencies Appropriation Act, 1959 (72 Stat. 237; 49 U.S.C. 1322, note), authorizing ten positions in such grades 16, 17, and 18 for the Civil Aeronautics Board.

(7) Subsection (b) of the first section of the Act of September 23, 1959 (73 Stat. 700; 5 U.S.C. 1105, note; Public Law 86-377), containing certain provisions with respect to positions in such grades 16, 17, and 18 in the Department of Defense, which reads as follows:

"(b) The total number of positions authorized by section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), to be

placed in grades 16, 17, and 18 of the General Schedule of such Act at any time shall be deemed to have been reduced by the number of positions in such grades allocated to the Department of Defense immediately prior to the date of enactment of this Act. The respective number of positions authorized by such section 505(b) to be placed in grades 17 and 18 of such schedule at any one time shall be deemed to have been reduced by the respective number of positions in such grades allocated to the Department of Defense immediately prior to the date of enactment of this Act."

(8) That part of the first sentence of section 601 of the Supplemental Defense Appropriation Act, 1958 (72 Stat. 8; 10 U.S.C. 1581, note) authorizing the Secretary of Defense to place ten positions in such grades 16, 17, and 18, which reads as follows: "and to place ten positions in grades 16, 17, or 18 of the General Schedule, in accordance with the procedures prescribed in the Classification Act of 1949, as amended".

5 USC 630j.

(9) The last paragraph under the heading "GENERAL SERVICES ADMINISTRATION" in title I of the Independent Offices Appropriation Act, 1957 (70 Stat. 345; Public Law 623, Eighty-fourth Congress), authorizing ten positions in grade 16 of the General Schedule of the Classification Act of 1949 for the General Services Administration.

(10) That part of the second sentence of section 3 of Reorganization Plan Numbered 1 of 1958, effective July 1, 1958 (72 Stat. 1800; 23 F.R. 4991), authorizing not to exceed ten positions of regional director of the regional offices of the Office of Civil and Defense Mobilization to receive compensation under the Classification Act of 1949 without regard to the numerical limitations on positions in section 505 of such Act, which reads as follows: "except that the compensation may be fixed without regard to the numerical limitations on positions set forth in section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105)".

(11) The paragraph under the heading "COMMODITY CREDIT CORPORATION" in chapter I of the Supplemental Appropriation Act, 1956 (69 Stat. 451; 15 U.S.C. 714h, note), authorizing the position of sales manager in the Commodity Credit Corporation to be placed in grade 17 of the General Schedule of the Classification Act of 1949.

(12) Section 302 of the Act of July 31, 1956 (70 Stat. 743; 5 U.S.C. 517c), authorizing three positions of Deputy Administrator of the Agricultural Research Service, Department of Agriculture, to be placed in grade 18 of such General Schedule.

(13) That part of the first paragraph of section 205 of the Public Works Appropriation Act, 1958 (71 Stat. 423; Public Law 85-167), which reads as follows: "the position of Administrator of the Southeastern Power Administration shall be in grade GS-18 of the Classification Act of 1949, as amended, but without regard to the numerical limitation contained in section 505 of said Act";

(14) That part of the sixth sentence of section 3(a) of the Fish and Wildlife Act of 1956 (70 Stat. 1120; 16 U.S.C. 742b(a)), authorizing the position of Director of the Bureau of Commercial Fisheries, and of Director of the Bureau of Sport Fisheries and Wildlife, United States Fish and Wildlife Service, Department of the Interior, to be placed in grade 17 of the General Schedule of the Classification Act of 1949, which reads: "at Grades GS-17 each".

(15) The second proviso in the paragraph under the heading "CIVIL AERONAUTICS ADMINISTRATION" and under the subheading "OPERATION AND REGULATION" in title I of the Department of Commerce and Related Agencies Appropriation Act, 1959 (72 Stat. 228; 49 U.S.C. 1343, note), authorizing ten positions in grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949.

SAVINGS PROVISIONS

SEC. 104. (a) The changes in existing law made by sections 102 and 103 of this title shall not affect any position existing immediately prior to the effective date of such changes in existing law, the compensation attached to such position, and any incumbent thereof, his appointment thereto, and his entitlement to receive the compensation attached thereto, until appropriate action is taken in accordance with this title.

(b) Positions in grades 16, 17, or 18, as the case may be, of the General Schedule of the Classification Act of 1949, as amended, immediately prior to the effective date of this section, shall remain, on and after such effective date, in their respective grades, until appropriate action is taken under section 505 of the Classification Act of 1949 as in effect on and after such effective date.

TITLE II—SCIENTIFIC AND PROFESSIONAL POSITIONS
AND POSITIONS OF A SECURITY NATUREINCREASE IN NUMBER OF POSITIONS OF A SECURITY NATURE IN THE
NATIONAL SECURITY AGENCY UNDER THE ACT OF MAY 29, 1959

SEC. 201. Section 2 of the Act of May 29, 1959 (73 Stat. 63; Public Law 86-36), authorizing the Secretary of Defense to establish positions in the National Security Agency, is amended by striking out "Not more than fifty such officers and employees shall be paid basic compensation at rates equal to rates of basic compensation contained in grades 16, 17, and 18 of such General Schedule." and inserting in lieu thereof the following: "Not more than sixty-five such officers and employees shall be paid basic compensation at rates equal to rates of basic compensation contained in grades 16, 17, and 18 of such General Schedule."

50 USC 402 note.

INCREASE IN NUMBER OF SCIENTIFIC AND PROFESSIONAL POSITIONS UNDER
THE ACT OF AUGUST 1, 1947 (PUBLIC LAW 313, EIGHTIETH CONGRESS)

SEC. 202. The Act of August 1, 1947 (Public Law 313, Eightieth Congress), as amended (5 U.S.C. 1161-1163), is amended to read as follows:

"That (a) the Secretary of the Interior is authorized to establish and fix the compensation for not more than eight scientific or professional positions in the Department of the Interior, each such position being established to effectuate those research and development functions of such department which require the services of specially qualified personnel.

Interior.

"(b) The Secretary of Agriculture is authorized to establish and fix the compensation for not more than twenty 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.

Agriculture.

"(c) The Secretary of Health, Education, and Welfare is authorized to establish and fix the compensation for not more than thirteen 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.

HEW.

"(d) The Secretary of Commerce is authorized to establish and fix the compensation for not more than thirty scientific or professional positions in the Department of Commerce, of which not less than five

Commerce.

shall be for the United States Patent Office in its examining and related activities, each such position being established to effectuate those research and development functions of such department which require the services of specially qualified personnel.

Post Office Department.

"(e) The Postmaster General is authorized to establish and fix the compensation for not more than three scientific or professional positions in the Post Office Department, each such position being established to effectuate those research and development functions of such Department which require the services of specially qualified personnel.

Ante, p. 631.

"(f) The Director of the United States Arms Control and Disarmament Agency is authorized to establish and fix the compensation for not more than fourteen scientific or professional positions in the United States Arms Control and Disarmament Agency, each such position being established to effectuate those research and development functions of such agency which require the services of specially qualified personnel.

Positions in competitive service.

"SEC. 2. (a) Positions created pursuant to this Act shall be included in the competitive civil service of the United States, but appointments to such positions shall be made without competitive examination upon approval of the proposed appointee's qualifications by the United States Civil Service Commission or such officers and agents as the Commission may designate for this purpose.

"(b) The rates of compensation for positions established pursuant to the provisions of this Act shall not be less than \$12,500 per annum nor more than \$19,000 per annum and shall be subject to the approval of the United States Civil Service Commission.

"(c) In any case in which, subsequent to February 1, 1958, provisions are included in a general appropriation Act authorizing an agency of the Government referred to in this Act to establish and fix the compensation of scientific or professional positions similar to those authorized by this Act, the number of such positions authorized by this Act shall, unless otherwise expressly provided, be deemed to have been reduced by the number of positions authorized by the provisions of such appropriation Act.

Reports to Congress.

"SEC. 3. The head of each department or agency authorized to establish and fix the compensation of positions under this Act shall submit to the Congress, not later than December 31 of each year, a report setting forth the number of positions established pursuant to this Act in his department or agency during that calendar year, and the name, rate of compensation, and description of the qualifications of each incumbent, together with a statement of the functions performed by each. In any instance in which any such department or agency head may consider full public report on these items detrimental to the national security, such department or agency head is authorized to omit such items from his annual report and, in lieu thereof, to present such information in executive sessions of such committees of the Senate and House of Representatives as the presiding officers of those bodies shall designate."

INCREASE IN NUMBER OF SCIENTIFIC AND PROFESSIONAL POSITIONS IN DEPARTMENT OF DEFENSE UNDER SECTION 1581 (a) OF TITLE 10, UNITED STATES CODE

73 Stat. 701.
10 USC 1581.

SEC. 203. Section 1581(a) of title 10 of the United States Code, authorizing the Secretary of Defense to establish not more than four hundred fifty scientific and professional positions in the Department of Defense, is amended by striking out "four hundred fifty civilian positions" and inserting in lieu thereof "five hundred thirty civilian positions".

INCREASE IN NUMBER OF SCIENTIFIC AND PROFESSIONAL POSITIONS IN THE
NATIONAL SECURITY AGENCY UNDER THE ACT OF MAY 29, 1959

SEC. 204. Section 4 of the Act of May 29, 1959 (73 Stat. 63; Public Law 86-36), authorizing the Secretary of Defense to establish not more than fifty scientific and professional positions in the National Security Agency, is amended by striking out "fifty civilian positions" and inserting in lieu thereof "sixty civilian positions".

50 USC 402 note.

INCREASE IN NUMBER OF SCIENTIFIC AND PROFESSIONAL POSITIONS IN THE
FEDERAL AVIATION AGENCY UNDER SECTION 302(h) OF THE FEDERAL
AVIATION ACT OF 1958

SEC. 205. (a) Section 302(h) of the Federal Aviation Act of 1958 (72 Stat. 746; 49 U.S.C. 1343(f)), authorizing the Administrator of the Federal Aviation Agency to establish not more than fifteen scientific and professional positions in the Federal Aviation Agency, is amended by striking out "fifteen positions" and inserting in lieu thereof "twenty positions".

(b) Section 302(f) of the Federal Aviation Act of 1958 (72 Stat. 746; 49 U.S.C. 1343(d)), which provides for not to exceed ten positions in the Federal Aviation Agency at rates of annual compensation of not to exceed \$19,500, is amended by striking out "ten positions" and inserting in lieu thereof "twenty-three positions".

INCREASE IN NUMBER OF SCIENTIFIC, ENGINEERING, AND ADMINISTRATIVE
POSITIONS IN THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
UNDER SECTION 203(b) (2) OF THE NATIONAL AERONAUTICS AND SPACE
ACT OF 1958

SEC. 206. (a) Section 203(b) (2) of the National Aeronautics and Space Act of 1958 (72 Stat. 429; 42 U.S.C. 2473(b) (2)), authorizing the Administrator of the National Aeronautics and Space Administration to establish not more than two hundred and ninety scientific, engineering, and administrative positions in the National Aeronautics and Space Administration, is amended by striking out "thirteen", and inserting in lieu thereof "thirty", and by striking out "two hundred and ninety" and inserting in lieu thereof "four hundred and twenty-five (of which not to exceed three hundred and fifty-five may be filled prior to March 1, 1962 and not to exceed three hundred and ninety may be filled prior to July 1, 1962)".

74 Stat. 153.

(b) (1) The Administrator of the National Aeronautics and Space Administration shall submit to the Congress not later than forty-five days after the close of each fiscal year a report which sets forth, as of the close of such fiscal year—

Report to Congress.

(A) the number of positions established under section 203(b) (2) of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2473(b) (2));

Supra.

(B) the name, rate of compensation, and description of the qualifications of each incumbent of each position established under such section 203(b) (2), together with the position title and a statement of the duties and responsibilities performed by each such incumbent;

(C) the position or positions in or outside the Federal Government held by each such incumbent, and his rate or rates of compensation, during the five-year period immediately preceding the date of appointment of such incumbent to such position; and

(D) such other information as the Administrator may deem appropriate or which may be required by the Congress or a committee thereof.

Nothing contained in this subsection shall require the resubmission of any information required under subparagraphs (B) and (C) of this subsection which has been reported pursuant to this subsection and remains unchanged.

National secur-
ity matters.
Omission of in-
formation.

(2) In any instance in which the Administrator may find full public disclosure of any or all of the matter covered by paragraph (1) of this subsection to be detrimental to the national security, the Administrator is authorized—

(A) to omit in such report those matters with respect to which full public disclosure is found to be detrimental to the national security;

(B) to inform the Congress of such omission; and

(C) at the request of any congressional committee to which such report is referred, to present all information concerning such matters.

INCREASE IN NUMBER OF EMPLOYEES OF NATIONAL AERONAUTICS AND SPACE COUNCIL UNDER SECTION 201(F) OF THE NATIONAL AERONAUTICS AND SPACE ACT OF 1958

SEC. 207. Section 201(f) of the National Aeronautics and Space Act of 1958 (72 Stat. 428; 42 U.S.C. 2471(f)), authorizing the executive secretary of the National Aeronautics and Space Council to employ not to exceed three persons at rates of annual compensation of not to exceed \$19,000, is amended by striking out "three" and inserting in lieu thereof "seven".

TITLE III—REALINEMENT OF COMPENSATION OF CERTAIN POSITIONS UNDER THE CLASSIFICATION ACT OF 1949 AND THE FEDERAL EXECUTIVE PAY ACT OF 1956

REMOVAL OF CERTAIN POSITIONS FROM THE PURVIEW OF THE FEDERAL EXECUTIVE PAY ACT OF 1956

SEC. 301. Section 107(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2206(a)), providing annual compensation of \$17,500 for certain positions, is amended by striking out the following paragraphs:

"(2) Administrator, Bonneville Power Administration.";

"(3) Administrator, Farmers' Home Administration.";

"(4) Administrator, Soil Conservation Service, Department of Agriculture.";

"(9) Chief Forester of the Forest Service, Department of Agriculture.";

"(10) Chief of Staff of the Joint Committee on Internal Revenue Taxation.";

"(11) Commissioner of Customs.";

"(12) Commissioner, Federal Supply Service, General Services Administration.";

"(14) Commissioner of Narcotics.";

"(15) Commissioner, Public Buildings Service.";

"(17) Commissioner of Reclamation.";

"(22) Manager, Federal Crop Insurance Corporation, Department of Agriculture."; and

"(23) Director of Coal Research, Department of the Interior."

CONFORMING CHANGES IN EXISTING LAW

SEC. 302. (a) The proviso contained in the first sentence of section 5(d) of the Farm Credit Act of 1953, as amended (73 Stat. 387; 12 U.S.C. 636d(d)), providing annual compensation of \$17,500 for not more than three positions of deputy governor in the Farm Credit Administration, is amended to read as follows: “: *Provided*, That the salary of not more than three positions of deputy governor each shall be fixed by the Board at a rate not exceeding the maximum scheduled rate of the General Schedule of the Classification Act of 1949, as amended”.

Farm Credit Administration.

63 Stat. 954.
5 USC 1071 note.

(b)(1) There is hereby repealed the second sentence of section 4201 of title 18 of the United States Code, providing annual compensation of \$17,500 for each member of the Board of Parole in the Department of Justice, which reads as follows: “The annual rate of basic compensation of each member of the Board shall be \$17,500.”.

72 Stat. 1783.
18 USC 4201.

(2) The section heading of such section 4201 is amended by striking out “; salaries”.

(3) The table of contents of chapter 311 of such title 18 is amended by striking out

“4201. Board of Parole; members; salaries.”

and inserting in lieu thereof

“4201. Board of Parole; members.”.

(c) Notwithstanding any other provision of law, the rate of gross annual compensation of the Chief of Staff of the Joint Committee on Internal Revenue Taxation shall be an amount which is equal to \$17,500, as increased in the manner provided by section 4(r) of the Federal Employees Salary Increase Act of 1958 (72 Stat. 209; Public Law 85-462) and section 117(g) of the Federal Employees Salary Increase Act of 1960 (Part B of the Act of July 1, 1960; 74 Stat. 304; Public Law 86-568).

Joint Committee on Internal Revenue Taxation.

5 USC 932d,
932e.

(d) On and after the effective date of this subsection, section 116(a) of the Federal Employees Salary Increase Act of 1960 (Part B of the Act of July 1, 1960; 74 Stat. 303; Public Law 86-568) shall not be applicable with respect to the Deputy Director of the Administrative Office of the United States Courts.

U.S. Courts.
Administrative Office.
28 USC 603 note.

(e)(1) Section 106(b) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2205(b)), is amended by striking out

Architect of the Capitol.
70 Stat. 739.

“(1) Architect of the Capitol.”.

(2) Section 107(a) of such Act, as amended (5 U.S.C. 2206(a)), is amended by striking out

“(5) Assistant Architect of the Capitol.”.

READJUSTMENT OF CERTAIN PAY LEVELS OF THE FEDERAL EXECUTIVE PAY ACT OF 1956

SEC. 303. (a) Clause (4) of section 104(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2203(a)), is amended to read as follows:

70 Stat. 736.

“(4) Administrator of the Small Business Administration.”

(b) Clause (5) of section 106(a) of such Act (5 U.S.C. 2205(b)(5)) is repealed.

Repeal.
5 USC 2205(a)
(5).

(c) Section 106(b) of such Act is amended by adding at the end thereof the following:

70 Stat. 739.

“(17) Administrator, Farmers Home Administration.

“(18) Administrator, Soil Conservation Service, Department of Agriculture.

“(19) Chief Forester of the Forest Service, Department of Agriculture.

"(20) Commissioner of Customs.

"(21) Manager, Federal Crop Insurance Corporation, Department of Agriculture.

"(22) Deputy Administrator, Small Business Administration (4).

"(23) Commissioner of the Indian Claims Commission (3)."

Repeal.
70 Stat. 739.

(d) Section 106(c) of such Act (5 U.S.C. 2205(c)), providing annual compensation of \$18,000 for the Commissioners of the Indian Claims Commission, is hereby repealed.

(e) Section 107(a) of such Act (5 U.S.C. 2206(a)), providing annual compensation of \$17,500 for certain positions, is amended by striking out "\$17,500" and inserting in lieu thereof "\$18,500".

Repeal.
70 Stat. 737.

(f) Section 107(b) of such Act (5 U.S.C. 2206(b)), providing annual compensation of \$17,000 for certain positions, is hereby repealed.

(g) Section 106(a) of such Act (5 U.S.C. 2205(a)), providing annual compensation of \$20,000 for certain positions, is amended by inserting

Ante, p. 632.

"(48) General Counsel, United States Arms Control and Disarmament Agency.

"(49) Public Affairs Advisor, United States Arms Control and Disarmament Agency."

immediately following

70 Stat. 740.

"(47) Commissioner of Education."

(h) Section 105 of title 3 of the United States Code, providing for the compensation of certain assistants to the President, is amended by striking out "\$17,500" and inserting in lieu thereof "\$18,500".

SAVINGS PROVISIONS

SEC. 304. Except as provided by subsections (a), (c), (d), and (e) of section 302 of this title, each position specifically referred to in or covered by any amendment made by sections 301 and 302 of this title shall be placed in the appropriate grade of the General Schedule of the Classification Act of 1949, as amended, in accordance with the provisions of such Act. The incumbent of each such position immediately prior to the effective date of this section shall continue to receive the rate of basic compensation which he was receiving immediately prior to such effective date until he leaves such position or until he is entitled to receive compensation at a higher rate in accordance with law. When such incumbent leaves such position, the rate of basic compensation of each subsequent appointee to such position shall be determined in accordance with the Classification Act of 1949, as amended.

63 Stat. 954.
5 USC 1071 note.

EFFECTIVE DATE

SEC. 305. The foregoing provisions of this title (except section 303 (g)) shall become effective at the beginning of the first pay period which begins on or after the sixtieth day following the date of enactment of this Act.

TITLE IV—POSITIONS IN TOP SALARY LEVELS IN THE POSTAL FIELD SERVICE

INCREASE IN NUMBER OF AUTHORIZED TOP SALARY LEVEL POSITIONS IN THE POSTAL FIELD SERVICE

SEC. 401. Section 3301 of title 39, United States Code, relating to the maximum number of positions authorized at any one time for salary levels 17, 18, 19, and 20 in the postal field service, is amended by adding at the end thereof the following new sentence: "In addition to the number of positions prescribed by subparagraphs (2) to (5), inclusive, of this section, the Postmaster General is authorized to assign a total of not more than forty positions among salary levels 17, 18, 19, and 20 as he may determine."

74 Stat. 609.
39 USC 3301.

Approved October 4, 1961.

Public Law 87-368

AN ACT

To amend section 1073 of title 18, United States Code, the Fugitive Felon Act.

October 4, 1961
[H. R. 468]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1073 of title 18 of the United States Code is amended to read as follows:

"Whoever moves or travels in interstate or foreign commerce with intent either (1) to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which he flees, for a crime, or an attempt to commit a crime, punishable by death or which is a felony under the laws of the place from which the fugitive flees, or which, in the case of New Jersey, is a high misdemeanor under the laws of said State, or (2) to avoid giving testimony in any criminal proceedings in such place in which the commission of an offense punishable by death or which is a felony under the laws of such place, or which in the case of New Jersey, is a high misdemeanor under the laws of said State, is charged, shall be fined not more than \$5,000 or imprisoned not more than five years, or both."

Crimes.
Fugitives from
justice.
62 Stat. 755.

"Violations of this section may be prosecuted only in the Federal judicial district in which the original crime was alleged to have been committed, or in which the person was held in custody or confinement and only upon formal approval in writing by the Attorney General or an Assistant Attorney General of the United States, which function of approving prosecutions may not be delegated."

Approved October 4, 1961.

Public Law 87-369

AN ACT

To repeal section 791 of title 18 of the United States Code so as to extend the application of chapter 37 of title 18, relating to espionage and censorship.

October 4, 1961
[H. R. 2730]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 791 of title 18, United States Code, is repealed.

SEC. 2. The analysis of chapter 37 of such title is amended by deleting the following:

"791. Scope of chapter."

Approved October 4, 1961.

Espionage and
censorship.
62 Stat. 736.