

Public Law 86-121

AN ACT

To amend the Act of August 5, 1954 (68 Stat. 674), and for other purposes.

July 31, 1959
[S. 56]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 5, 1954 (68 Stat. 674), is amended by adding at the end thereof the following new section :

Indians, sanitation facilities.
42 USC 2001-2004.

“SEC. 7. (a) In carrying out his functions under this Act with respect to the provision of sanitation facilities and services, the Surgeon General is authorized—

Surgeon General.
Powers.

“(1) to construct, improve, extend, or otherwise provide and maintain, by contract or otherwise, essential sanitation facilities, including domestic and community water supplies and facilities, drainage facilities, and sewage- and waste-disposal facilities, together with necessary appurtenances and fixtures, for Indian homes, communities, and lands;

“(2) to acquire lands, or rights or interests therein, including sites, rights-of-way, and easements, and to acquire rights to the use of water, by purchase, lease, gift, exchange, or otherwise, when necessary for the purposes of this section, except that no lands or rights or interests therein may be acquired from an Indian tribe, band, group, community, or individual other than by gift or for nominal consideration, if the facility for which such lands or rights or interests therein are acquired is for the exclusive benefit of such tribe, band, group, community, or individual, respectively;

Acquisition of lands.

“(3) to make such arrangements and agreements with appropriate public authorities and nonprofit organizations or agencies and with the Indians to be served by such sanitation facilities (and any other person so served) regarding contributions toward the construction, improvement, extension and provision thereof, and responsibilities for maintenance thereof, as in his judgment are equitable and will best assure the future maintenance of facilities in an effective and operating condition; and

Construction and maintenance.

“(4) to transfer any facilities provided under this section, together with appurtenant interests in land, with or without a money consideration, and under such terms and conditions as in his judgment are appropriate, having regard to the contributions made and the maintenance responsibilities undertaken, and the special health needs of the Indians concerned, to any State or Territory or subdivision or public authority thereof, or to any Indian tribe, group, band, or community or, in the case of domestic appurtenances and fixtures, to any one or more of the occupants of the Indian home served thereby.

Transfer of facilities.

“(b) The Secretary of the Interior is authorized to transfer to the Surgeon General for use in carrying out the purposes of this section such interest and rights in federally owned lands under the jurisdiction of the Department of the Interior, and in Indian-owned lands that either are held by the United States in trust for Indians or are subject to a restriction against alienation imposed by the United States, including appurtenances and improvements thereto, as may be requested by the Surgeon General. Any land or interest therein, including appurtenances and improvements to such land, so transferred shall be subject to disposition by the Surgeon General in accordance with paragraph (4) of subsection (a): *Provided*, That, in any case where a beneficial interest in such land is in any Indian, or Indian tribe, band, or group, the consent of such beneficial owner

Transfer of U. S. land.

to any such transfer or disposition shall first be obtained: *Provided further*, That where deemed appropriate by the Secretary of the Interior provisions shall be made for a reversion of title to such land if it ceases to be used for the purpose for which it is transferred or disposed.

“(c) The Surgeon General shall consult with, and encourage the participation of, the Indians concerned, States and political subdivisions thereof, in carrying out the provisions of this section.”

42 USC 2001
note.

SEC. 2. Section 6 of such Act is amended by striking out the word “This” and inserting in lieu thereof the words “Sections 1 to 5, inclusive, of this”.

Approved July 31, 1959.

Public Law 86-122

AN ACT

July 31, 1959
[H. R. 6134]

To amend the Federal Employees Pay Act of 1945 to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years, and for other purposes.

Federal employees, pay periods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 604(b) of the Federal Employees Pay Act of 1945 (59 Stat. 303; 5 U.S.C. 944(b)) is amended by striking out the following sentence: “When a pay period for such officers and employees begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period.”

72 Stat. 151.

SEC. 2. (a) Section 802(c) of the Classification Act of 1949, as amended (5 U.S.C. 1132(c)), is amended by inserting after the words “service as such an employee,” the following: “and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member.”

72 Stat. 1761.

(b) Section 501(b) of the Postal Field Service Classification Act of 1955, as amended (39 U.S.C. 991(b)), is amended by inserting after the words “service as such an employee,” the following: “and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member.”

Effective dates.

SEC. 3. (a) The amendment made by section 2(a) of this Act shall become effective as of January 1, 1958.

(b) The amendment made by section 2(b) of this Act shall become effective as of September 2, 1958.

Retroactive salary.

(c) Retroactive compensation or salary shall be paid, by reason of the amendments made by section 2 of this Act and the provisions of subsections (a) and (b) of this section, only to a former Member of the Senate or House of Representatives who, on the date of enactment of this Act, is in a position subject to the Classification Act of 1949 or the Postal Field Service Compensation Act of 1955, as the case may be, and with respect to whom appropriate administrative action is taken, pursuant to the amendments made by section 2 of this Act and the provisions of subsections (a) and (b) of this section, to advance such Member to a higher step rate of the grade or salary level concerned, as the case may be; and, when such administrative action is taken, such retroactive compensation or salary shall be paid to such former Member for all periods from and after the date of appointment of such former Member to the position concerned.

63 Stat. 954.
5 USC 1071 note.

69 Stat. 88.
5 USC 951 note.

Approved July 31, 1959.