

Public Law 60

CHAPTER 129

AN ACT

To amend the Act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain Coast Guard contracts.

June 3, 1955
[H. R. 3885]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 29, 1941, 55 Stat. 147 (40 U. S. C. 270e), is hereby amended to read as follows: "The Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or the Secretary of the Treasury may waive the Act of August 24, 1935 (49 Stat. 793), with respect to cost-plus-a-fixed fee and other cost-type contracts for the construction, alteration, or repair of any public building or public work of the United States and with respect to contracts for the manufacturing, producing, furnishing, construction, alteration, repair, processing, or assembling of vessels, aircraft, munitions, materiel, or supplies of any kind or nature for the Army, Navy, Air Force, or Coast Guard, respectively, regardless of the terms of such contracts as to payment or title."

Armed Forces
contracts.
Waiver of re-
quirements.

40 USC 270a-c
and notes.

Approved June 3, 1955.

Public Law 61

CHAPTER 130

AN ACT

To amend the Federal Property and Administrative Services Act of 1949 so as to improve the administration of the program for the utilization of surplus property for educational and public health purposes.

June 3, 1955
[H. R. 3322]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (1) of subsection (j) of section 203 of the Federal Property and Administrative Services Act of 1949 is amended (1) by inserting after "other supplies" the following: "(whether or not capitalized in a working-capital or similar fund)", and (2) by adding at the end thereof the following: "In determining whether or not property is to be donated under this subsection, no distinction shall be made between property capitalized in a working-capital fund established pursuant to section 405 of the National Security Act of 1947, as amended, or any similar fund, and any other property."

Federal Property
and Administrative
Services Act of
1949, amendment.
64 Stat. 579.
40 USC 484.

63 Stat. 587.
5 USC 172d.

Restriction on
property transferal.

(b) Paragraph (2) of section 203 (j) of the Federal Property and Administrative Services Act of 1949 is amended by inserting at the end thereof the following new sentence: "No property shall be transferred (except surplus property donated in conformity with paragraph (3) of this subsection), until the Secretary of Health, Education, and Welfare has received from an appropriate State agency or official a certification that such property is usable and needed for educational or public health purposes in the State, and no property shall be transferred pursuant to this paragraph until the Secretary of Health, Education, and Welfare has determined that such agency or official has conformed to minimum standards of operation prescribed by the Secretary for the disposal of surplus property."

SEC. 2. (a) Subsection (j) of section 203 of the Federal Property and Administrative Services Act of 1949 is amended by adding at the end thereof the following new paragraph:

Restrictions,
etc., on use of
property.

"(4) The Secretary of Health, Education, and Welfare may impose reasonable terms, conditions, reservations, and restrictions upon the use of any single item of property donated under paragraph (2) of this subsection which has an acquisition cost of \$2,500 or more."

Applicability.

63 Stat. 386.
40 USC 484.
Post, p. 430.

Cooperative agreements.**Termination of prior restrictions, etc.**

63 Stat. 377.
40 USC 471 note.

40 USC 484.
Post, p. 430.

Reports to Senate and House of Representatives.

(b) The amendment made by subsection (a) shall apply only with respect to property donated after the date of enactment of this Act.

SEC. 3. Section 203 of the Federal Property and Administrative Services Act of 1949 is amended by adding at the end thereof the following new subsection:

“(m) The Secretary of Health, Education, and Welfare, or the head of any Federal agency designated by the Secretary, is authorized to enter into cooperative agreements with State departments of education or health, and with other State agencies, which are responsible for carrying out in the States the program for the utilization of surplus property for educational purposes and health purposes provided for in subsections (j) or (k) of this section. Such cooperative agreements may provide for utilization by such Federal agency, without payment or reimbursement, of the property, facilities, personnel, and services of the State agency in carrying out such program, and for making available to such State agency, without payment or reimbursement, property, facilities, personnel, or services of such Federal agency in connection with such utilization.”

SEC. 4. (a) In the case of personal property donated or sold at a discount for educational, public health or memorial purposes, including research, under any provision of law enacted prior to the enactment of the Federal Property and Administrative Services Act of 1949, no term, condition, reservation, or restriction imposed on the use of such property shall remain in effect after the date of the enactment of this Act. This subsection shall not be deemed to terminate any civil or criminal liability arising out of a violation of such a term, condition, reservation, or restriction which occurred prior to the enactment of this Act, if a judicial proceeding to enforce such liability is pending at the time of, or commenced within one year after the enactment of this Act.

(b) No term, condition, reservation, or restriction imposed upon the use of any single item of property donated under section 203 (j) of the Federal Property and Administrative Services Act of 1949 prior to the enactment of this Act which has an acquisition cost of less than \$2,500 shall remain in effect after the expiration of the one-year period which begins on the date of the enactment of this Act. This subsection shall not be deemed to terminate any civil or criminal liability arising out of a violation of such a term, condition, reservation, or restriction if (1) such violation occurred prior to the expiration of such one-year period and (2) a judicial proceeding to enforce such liability is pending at the time of enactment of this Act or is commenced not later than one year after the expiration of such one-year period.

SEC. 5. Section 203 of the Federal Property and Administrative Services Act of 1949 is amended by adding at the end thereof the following new subsection:

“(n) The Secretary of Health, Education, and Welfare shall submit, during each calendar quarter, a report to the Senate (or to the Secretary of the Senate if the Senate is not in session) and to the House of Representatives (or to the Clerk of such House if it is not in session) showing the acquisition cost of all personal property donated under subsection (j) and of all real property disposed of under subsection (k) during the preceding calendar quarter to, or for distribution to, educational or public health institutions in each State, Territory, and possession. The first report under this subsection shall be made with respect to property donated or disposed of during the first calendar quarter which begins after the enactment of this subsection.”

SEC. 6. (a) Section 203 of the Federal Property and Administrative Services Act of 1949 is amended by striking out the words “Federal Security Administrator” and “Federal Security Agency” wherever

they appear in subsection (j) or (k) of such section, and by inserting in lieu thereof the words "Secretary of Health, Education, and Welfare", and "Department of Health, Education, and Welfare", respectively.

(b) Section 203 of such Act, as amended by this Act, is further amended (1) by striking out in paragraph (1) of subsection (j) thereof the words "the States, Territories, and possessions" and inserting in lieu thereof the words "any State", and (2) by adding at the end of such subsection the following new paragraph:

"(5) The term 'State', as used in this subsection, includes the District of Columbia, the Commonwealth of Puerto Rico, and the Territories and possessions of the United States."

(c) Clause (D) of paragraph (1) of subsection (k) of section 203 of the Federal Property and Administrative Services Act of 1949 is amended by inserting after "District of Columbia" a comma and the words "the Commonwealth of Puerto Rico."

Approved June 3, 1955.

"State."

63 Stat. 387.
40 USC 484.

Public Law 62

CHAPTER 131

AN ACT

To amend section 2 of the Act of March 2, 1945, pertaining to the Columbia River at Bonneville, Oregon.

June 8, 1955
[H. R. 3879]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the River and Harbor Act approved March 2, 1945, pertaining to the Columbia River at Bonneville, Oregon, is hereby amended by striking out the amount "\$50,000" and substituting in lieu thereof "\$185,000."

Approved June 8, 1955.

Indian fishing
grounds.
59 Stat. 22.

Public Law 63

CHAPTER 132

AN ACT

To provide for the adjustment of tolls to be charged by the Wayland Special Road District Numbered 1 of Clark County, Missouri, in the maintenance and operation of a toll bridge across the Des Moines River at or near Saint Francisville, Missouri.

June 8, 1955
[H. R. 625]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the event that the Wayland Special Road District Numbered 1 of Clark County, Missouri, shall issue toll bridge revenue refunding bonds for the purpose of refunding or redeeming its outstanding 4 per centum toll bridge revenue bonds dated December 1, 1935, which were issued to provide funds for the construction of the bridge authorized by an Act of the Seventy-second Congress, first session, approved February 14, 1933 (Public Law 337), or in the event that the said District shall extend the maturity date or dates of said outstanding bonds, the rates of toll to be charged for the use of said bridge shall be so adjusted as to provide sufficient revenues to pay for the reasonable cost of maintaining, repairing, and operating said bridge and its approaches under economical management and to provide a fund sufficient to pay the principal, interest, and redemption premium, if any, of such toll bridge revenue refunding bonds, or of said outstanding bonds, as soon as possible under reasonable charges, but within a period of not exceeding thirty years from the date of approval of this Act, and such tolls shall be continued until such payments shall have been made.

Bridge, Clark
County, Mo.
Adjustment of
tolls.

47 Stat. 802.