

Public Law 85-177

AN ACT

August 28, 1957
[H. R. 8992]

To provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Atomic Energy Agency Participation Act of 1957".

International
Atomic Energy
Participation Act
of 1957.
Appointments.

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative and a deputy representative of the United States to the International Atomic Energy Agency (hereinafter referred to as the "Agency"), who shall hold office at the pleasure of the President. Such representative and deputy representative shall represent the United States on the Board of Governors of the Agency, may represent the United States at the General Conference, and may serve *ex officio* as United States representative on any organ of that Agency, and shall perform such other functions in connection with the participation of the United States in the Agency as the President may from time to time direct.

(b) The President, by and with the advice and consent of the Senate, may appoint or designate from time to time to attend a specified session or specified sessions of the General Conference of the Agency a representative of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Conference.

(c) The President may also appoint or designate from time to time such other persons as he may deem necessary to represent the United States in the organs of the Agency. The President may designate any officer of the United States Government, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States on the Board of Governors or to the General Conference of the Agency in the absence or disability of the representative and deputy representative appointed under section 2 (a) or in lieu of such representatives in connection with a specified subject matter.

(d) All persons appointed or designated in pursuance of authority contained in this section shall receive compensation at rates determined by the President upon the basis of duties to be performed but not in excess of rates authorized by sections 411 and 412 of the Foreign Service Act of 1946, as amended (22 U. S. C. 866, 867), for Chiefs of Mission and Foreign Service officers occupying positions of equivalent importance, except that no Member of the Senate or House of Representatives or officer of the United States who is designated under subsection (b) or subsection (c) of this section as a delegate or representative of the United States or as an alternate to attend any specified session or specified sessions of the General Conference shall be entitled to receive such compensation. Any person who receives compensation pursuant to the provisions of this subsection may be granted allowances and benefits not to exceed those received by Chiefs of Mission and Foreign Service officers occupying positions of equivalent importance.

70 Stat. 704.

SEC. 3. The participation of the United States in the International Atomic Energy Agency shall be consistent with and in furtherance of the purposes of the Agency set forth in its Statute and the policy concerning the development, use, and control of atomic energy set forth in the Atomic Energy Act of 1954, as amended. The President

Purpose and authority.

68 Stat. 919,
42 USC 2011
note.

Reports to Congress.

shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress on the activities of the International Atomic Energy Agency and on the participation of the United States therein. In addition to any other requirements of law, the Department of State and the Atomic Energy Commission shall keep the Joint Committee on Atomic Energy, the House Committee on Foreign Affairs, and the Senate Committee on Foreign Relations, as appropriate, currently informed with respect to the activities of the Agency and the participation of the United States therein.

Votes, etc.

SEC. 4. The representatives provided for in section 2 hereof, when representing the United States in the organs of the Agency, shall, at all times, act in accordance with the instructions of the President, and such representatives shall, in accordance with such instructions, cast any and all votes under the Statute of the International Atomic Energy Agency.

TIAS 3873.

Appropriation.

SEC. 5. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the International Atomic Energy Agency as apportioned by the Agency in accordance with paragraph (D) of article XIV of the Statute of the Agency, and for all necessary salaries and expenses of the representatives provided for in section 2 hereof and of their appropriate staffs, including personal services without regard to the civil service laws and the Classification Act of 1949, as amended; travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Travel Expense Act of 1949, as amended, and section 10 of the Act of March 3, 1933, as amended; salaries as authorized by the Foreign Service Act of 1946, as amended, or as authorized by the Atomic Energy Act of 1954, as amended, and expenses and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); translating and other services, by contract; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section II of the Act of March 1, 1919 (44 U. S. C. 111); official functions and courtesies; such sums as may be necessary to defray the expenses of United States participation in the Preparatory Commission for the Agency, established pursuant to annex I of the Statute of the Agency; and such other expenses as may be authorized by the Secretary of State.

TIAS 3873.

63 Stat. 954.
5 USC 1071 note.

63 Stat. 166.
5 USC 835 note.
60 Stat. 808.
5 USC 73b.
60 Stat. 999.
22 USC 801 note.
68 Stat. 919.
42 USC 2011
note.

60 Stat. 810.
63 Stat. 405.

Civil Service rights and benefits.

70 Stat. 743.
5 USC 2251 et
seq.
68 Stat. 736.
5 USC 2091 note.

SEC. 6. (a) Notwithstanding any other provision of law, Executive order or regulation, a Federal employee who, with the approval of the Federal agency or the head of the department by which he is employed, leaves his position to enter the employ of the Agency shall not be considered for the purposes of the Civil Service Retirement Act, as amended, and the Federal Employees' Group Life Insurance Act of 1954, as amended, as separated from his Federal position during such employment with the Agency but not to extend beyond the first three consecutive years of his entering the employ of the Agency: *Provided*, (1) That he shall pay to the Civil Service Commission within ninety days from the date he is separated without prejudice from the Agency all necessary deductions and agency contributions for coverage under the Civil Service Retirement Act for the period of his employment by the Agency, and (2) That all deductions and agency contributions necessary for continued coverage under the Federal Employees' Group Life Insurance Act of 1954, as amended, shall be made during the term of his employment with the International Atomic Energy Agency. If such employee, within three

years from the date of his employment with the Agency, and within ninety days from the date he is separated without prejudice from the Agency, applies to be restored to his Federal position, he shall within thirty days of such application be restored to such position or to a position of like seniority, status and pay.

(b) Notwithstanding any other provision of law, Executive order or regulation, any Presidential appointee or elected officer who leaves his position to enter, or who within ninety days after the termination of his position enters, the employ of the Agency, shall be entitled to the coverage and benefits of the Civil Service Retirement Act, as amended, and the Federal Employees' Group Life Insurance Act of 1954, as amended, but not beyond the earlier of either the termination of his employment with the Agency or the expiration of three years from the date he entered employment with the Agency: *Provided*, (1) That he shall pay to the Civil Service Commission within ninety days from the date he is separated without prejudice from the Agency all necessary deductions and agency contributions for coverage under the Civil Service Retirement Act for the period of his employment by the Agency, and (2) That all deductions and agency contributions necessary for continued coverage under the Federal Employees' Group Life Insurance Act of 1954, as amended, shall be made during the term of his employment with the Agency.

(c) The President is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section and to protect the retirement, insurance and such other civil service rights and privileges as the President may find appropriate.

SEC. 7. Section 54 of the Atomic Energy Act of 1954, as amended, is amended by adding the following new sentences: "Unless hereafter otherwise authorized by law the Commission shall be compensated for special nuclear material so distributed at not less than the Commission's published charges applicable to the domestic distribution of such material, except that the Commission to assist and encourage research on peaceful uses or for medical therapy may so distribute without charge during any calendar year only a quantity of such material which at the time of transfer does not exceed in value \$10,000 in the case of one nation or \$50,000 in the case of any group of nations. The Commission may distribute to the International Atomic Energy Agency, or to any group of nations, only such amounts of special nuclear materials and for such periods of time as are authorized by Congress: *Provided, however*, That, notwithstanding this provision, the Commission is hereby authorized subject to the provisions of section 123, to distribute to the Agency five thousand kilograms of contained uranium-235, together with the amounts of special nuclear material which will match in amount the sum of all quantities of special nuclear materials made available by all other members of the Agency to July 1, 1960."

SEC. 8. In the event of an amendment to the Statute of the Agency being adopted in accordance with article XVIII-C of the Statute to which the Senate by formal vote shall refuse its advice and consent, upon notification by the Senate to the President of such refusal to advise and consent, all further authority under section 2, 3, 4 and 5 of this Act, as amended, shall terminate: *Provided, however*, That the Secretary of State, under such regulations as the President shall promulgate, shall have the necessary authority to complete the prompt and orderly settlement of obligations and commitments to the Agency already incurred and pay salaries, allowances, travel expenses, and other expenses required for a prompt and orderly termination of United States participation in the Agency: *And provided further*, That the representative and the deputy representative of the United

70 Stat. 743.
5 USC 2251 et
seq.
68 Stat. 736,
5 USC 2091 note.

Regulations.

Distribution of
materials; com-
pensation.
68 Stat. 931.
42 USC 2074.

42 USC 2152.

Termination.
TIAS 3873.

Settlement.

States to the Agency, and such other officers or employees representing the United States in the Agency, under such regulations as the President shall promulgate, shall retain their authority under this Act for such time as may be necessary to complete the settlement of matters arising out of the United States participation in the Agency.

Approved August 28, 1957.

Public Law 85-178

AN ACT

August 28, 1957
[S. 1823]

To authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Kentucky, to the Commonwealth of Kentucky for public park purposes.

Bunker Hill Island, Ky.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to section 2, the Secretary of the Army is authorized and directed to convey to the Commonwealth of Kentucky all the right, title, and interest of the United States in and to the following portion of Bunker Hill Island in Lake Cumberland, near Burnside, Kentucky:

A tract of land situate in the eighth magisterial district of Pulaski County, Kentucky, at Burnside, Kentucky, and more particularly described as follows:

Being all of that part of an island lying entirely above the 765-foot contour line (m. s. l.), said island being known as Bunker Hill Island in the south fork of the Cumberland River embayment of Lake Cumberland, the downstream end of said island being located approximately 2,000 feet, more or less, upstream from the mouth of said river and extends upstream approximately 5,800 feet, more or less, said island contains 390 acres, more or less, and being a part of the same lands, the fee title to which was vested in the United States by reason of the following deeds of record in the office of the county court clerk for Pulaski County, Kentucky, and/or the filing of declaration of takings in civil actions pending in the United States District Court for the Eastern District of Kentucky at London, viz:

Tract No.	Vendor	Date of Deed and/or D/T	Deed Book	Page	D/T No.	Civil Action No.
M-1327	Ella G. Sloan	1-18-49	163	459		
M-1344	Elmer R. Walden et ux	1- 5-49	163	192		
M-1355	Ethel E. Rossler et vir	6- 1-49	167	203		
M-1368	Mitt Boland et ux	5- 2-49	166	295		
M-1369	Lillie Hollars et vir	2-10-49	164	156		
M-1372	W. T. Turpin et ux	3-17-49	165	147		
M-1373	Charles R. Cox et ux	3-21-49			1	471
M-1374	John Hollars et ux	3- 1-49	164	499		
M-1375	Cleveland Davis et ux	3-29-49	165	227		
M-1376	Zelmer Fitzgerald et ux	1-18-49	163	374		
M-1377	Luther Hutchinson et ux	12- 1-48	162	261		
M-1379	Earl Love et ux	1-12-49	163	267		
M-1380	Oscar L. Dyer et ux	1- 4-49	163	141		
M-1385	Nancy Massey et vir	2-16-49	164	388		
M-1387	Mary Truxell et vir	1-24-49			1	464
M-1388	Cora Thompson et al	4- 8-49			1	477
M-1391	Marguerite Sloan	8- 3-49			2	462

Conditions.

SEC. 2. Title to the property authorized to be conveyed by this Act shall revert to the United States, which shall have the right of immediate entry thereon, if the Commonwealth of Kentucky—

(1) has not commenced the development of such property for public park purposes within the three-year period beginning on the date of enactment of this Act; or

(2) shall ever cease to use such property for public park purposes.