

(B) by striking out “fourteen” in the second sentence thereof and inserting in lieu thereof “fifteen”;

(C) by striking out “and other severely handicapped individuals.” in paragraph (2) (A) and inserting in lieu thereof a period; and

(D) by redesignating subparagraphs (B) and (C) of paragraph (2) as subparagraphs (C) and (D), respectively, and inserting after subparagraph (A) the following new subparagraph:

“(B) The President shall appoint one member from persons who are not officers or employees of the Government and who are conversant with the problems incident to the employment of other severely handicapped individuals.”

Presidential appointee.

(2) Section 1(d) is amended—

41 USC 46.

(A) by striking out “paragraphs (2) and (3)” in paragraph (1) and inserting in lieu thereof “paragraphs (2), (3), and (4)”;

(B) by adding at the end thereof the following new paragraph:

“(4) The member first appointed under paragraph (2) (B) of subsection (a) shall be appointed for a term of three years.”

41 USC 48b.

(3) Section 5 is amended—

(A) by inserting after paragraph (4) the following new paragraph:

“(5) The term ‘direct labor’ includes all work required for preparation, processing, and packing of a commodity, or work directly relating to the performance of a service, but not supervision, administration, inspection, or shipping.”;

“Direct labor.”

(B) by striking out paragraph (6); and

(C) by redesignating paragraphs (7), (8), and (9) as paragraphs (6), (7), and (8), respectively.

(4) Section 6 is amended to read as follows:

“SEC. 6. There are authorized to be appropriated to the Committee to carry out this Act \$240,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary for the succeeding fiscal years.”

41 USC 48c.

Approved July 25, 1974.

Public Law 93-359

AN ACT

July 25, 1974
[S. 1803]

To authorize the waiver of claims of the United States arising out of erroneous payments of pay and allowances to certain officers and employees of the legislative branch.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5584 of title 5, United States Code, is amended as follows:

Legislative branch.
Overpayment claims, waiver.

(1) Strike out “executive” wherever it appears in such section.

(2) In subsection (b) (2)—

(A) immediately after “(2)” insert the following: “except in the case of employees of the Government Printing Office, the Library of Congress, the Office of the Architect of the Capitol, or the Botanic Garden,”; and

(B) strike out “or” at the end thereof.

(3) In subsection (b) (3)—

(A) immediately after “(3)” insert the following “except in the case of employees of the Government Printing Office, the

Library of Congress, the Office of the Architect of the Capitol, or the Botanic Garden,"; and

(B) strike out "the effective date of the amendment authorizing the waiver of allowances, whichever is later." and insert in lieu thereof "October 2, 1972, whichever is later; or".

(4) At the end of subsection (b), add the following new clause:

"(4) in the case of employees of the Government Printing Office, the Library of Congress, the Office of the Architect of the Capitol, or the Botanic Garden, if application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered or 3 years immediately following the date on which this clause (4) is enacted into law, whichever is later."

(5) At the end of the section, add the following new subsection:

"(g) For the purpose of this section, 'agency' means—

- "(1) an Executive agency;
- "(2) the Government Printing Office;
- "(3) the Library of Congress;
- "(4) the Office of the Architect of the Capitol; and
- "(5) the Botanic Garden."

"Agency."

Vice President, Senator or Senate employees, waiver by Secretary of Senate. 2 USC 130c.

SEC. 2. (a) A claim of the United States against a person arising out of an erroneous payment of any pay or allowances, other than travel and transportation expenses and allowances, on or after the date of enactment of this Act, to the Vice President, a Senator, or to an officer or employee whose pay is disbursed by the Secretary of the Senate, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by the Secretary of the Senate, if the claim is not the subject of an exception made by the Comptroller General in the account of any accountable officer or official. An application for waiver shall be investigated by the Financial Clerk of the Senate who shall submit a written report of his investigation to the Secretary of the Senate. An application for waiver of a claim in an amount aggregating more than \$500 shall also be investigated by the Comptroller General of the United States who shall submit a written report of his investigation to the Secretary of the Senate.

Investigation, report to Secretary of Senate.

(b) The Secretary of the Senate may not exercise his authority under this section to waive any claim—

(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the Vice President, the Senator, the officer or employee, or any other person having an interest in obtaining a waiver of the claim; or

Time limitation.

(2) if the application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered.

(c) In the audit and settlement of accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

(d) An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

(e) This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

(f) The Secretary of the Senate shall promulgate rules and regulations to carry out the provisions of this section.

Savings provision.

Rules and regulations.

SEC. 3. (a) A claim of the United States against a person arising out of an erroneous payment of any pay or allowances, other than travel and transportation expenses and allowances, on or after the date of enactment of this section, to an officer or employee whose pay is disbursed by the Clerk of the House of Representatives, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by the Speaker of the House, if the claim is not the subject of an exception made by the Comptroller General in the account of any accountable officer or official.

House officers or employees, waiver by Clerk of the House. 2 USC 130d.

(b) An application for waiver of a claim shall be investigated by the Clerk of the House of Representatives who shall submit a written report of his investigation to the Speaker of the House.

Investigation, report to Speaker of the House.

(c) The Speaker of the House may not exercise his authority under this section to waive any claim—

(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the officer or employee or any other person having an interest in obtaining a waiver of the claim; or

(2) if the application for waiver is received in his office after the expiration of 3 years immediately following the date on which the erroneous payment of pay or allowances was discovered.

Time limitation.

(d) In the audit and settlement of the accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

(e) An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

(f) This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

Savings provision.

(g) The Speaker of the House shall prescribe rules and regulations to carry out the provisions of this section.

Rules and regulations.

Approved July 25, 1974.

Public Law 93-360

AN ACT

To amend the National Labor Relations Act to extend its coverage and protection to employees of nonprofit hospitals, and for other purposes.

July 26, 1974 [S. 3203]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2(2) of the National Labor Relations Act is amended by striking out "or any corporation or association operating a hospital, if no part of the net earnings inures to the benefit of any private shareholder or individual."

National Labor Relations Act, amendments. 29 USC 152.

(b) Section 2 of such Act is amended by adding at the end thereof the following new subsection:

"Health care institution."

"(14) The term 'health care institution' shall include any hospital, convalescent hospital, health maintenance organization, health clinic, nursing home, extended care facility, or other institution devoted to the care of sick, infirm, or aged person."

(c) The last sentence of section 8(d) of such Act is amended by striking out the words "the sixty-day" and inserting in lieu thereof "any notice" and by inserting before the words "shall lose" a comma and the following: "or who engages in any strike within the appropriate period specified in subsection (g) of this section."

29 USC 158.

Post, p. 396.