Calendar No. 1818

85TH CONGRESS
2D SESSION

S. 1864

[Report No. 1783]

IN THE SENATE OF THE UNITED STATES

APRIL 12, 1957

Mr. O'MAHONEY (for himself and Mr. WILEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

JULY 1, 1958

Reported by Mr. O'MAHONEY, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of the first paragraph of section 3 of title 35 of the United States Code is amended by striking out the word "nine" and inserting in lieu thereof the words "not more than fifteen."

~~(b) The fourth sentence of such paragraph is repealed.~~

~~(c)~~ *(b)* Such section is amended by inserting therein,

immediately after the first paragraph thereof, the following new paragraph:

"The annual ~~basic~~ rate of compensation of the Commissioner shall be ~~$20,500~~ *$20,000*; ~~that of the first assistant commissioner shall be $20,000;~~ and that of each assistant commissioner shall be $19,500. The Commissioner is authorized, without regard to the provisions of the Classification Act of 1949, as amended, to fix the annual rates of basic compensation of the examiners-in-chief, *subject to the approval of the Civil Service Commission,* at rates not exceeding the maximum rate now or hereafter prescribed by law for employees of the classes described in the first section of the Act entitled 'An Act to authorize the creation of additional positions in the professional and scientific service in the War and Navy Departments,' approved August 1, 1947 (61 Stat. 715), as amended. ~~The Commissioner is authorized, in accordance with the civil service laws and the Classification Act of 1949, as amended, to appoint, fix the compensation, and prescribe the powers and duties of all other officers and employees of the Patent Office."~~

SEC. 2. Section 7 of title 35 of the United States Code is amended by adding at the end thereof the following new sentence: ~~"The Commissioner is authorized, without regard to the Classification Act of 1949, as amended, to fix the annual rate of basic compensation of any acting examiner-~~

~~in chief who is designated under this paragraph to serve as an examiner in chief at any rate not in excess of that authorized by law for examiners in chief while such acting examiner in chief is so serving.~~" *Such designated examiners-in-chief may be compensated at the established rate for the positions in which they are temporarily serving, provided, that at the end of the period for which designated their rate of compensation shall be adjusted to what it would have been had such designation not been made.*"

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By Mr. O'MAHONEY and Mr. WILEY

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