

## Public Law 85-804

## AN ACT

August 28, 1958  
[H. R. 12894]

To authorize the making, amendment, and modification of contracts to facilitate the national defense.

National de-  
fense.  
Contract authori-  
zation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President may authorize any department or agency of the Government which exercises functions in connection with the national defense, acting in accordance with regulations prescribed by the President for the protection of the Government, to enter into contracts or into amendments or modifications of contracts heretofore or hereafter made and to make advance payments thereon, without regard to other provisions of law relating to the making, performance, amendment, or modification of contracts, whenever he deems that such action would facilitate the national defense. The authority conferred by this section shall not be utilized to obligate the United States in an amount in excess of \$50,000 without approval by an official at or above the level of an Assistant Secretary or his Deputy, or an assistant head or his deputy, of such department or agency, or by a Contract Adjustment Board established therein.

Restrictions.

SEC. 2. Nothing in this Act shall be construed to constitute authorization hereunder for—

(a) the use of the cost-plus-a-percentage-of-cost system of contracting;

(b) any contract in violation of existing law relating to limitation of profits;

(c) the negotiation of purchases of or contracts for property or services required by law to be procured by formal advertising and competitive bidding;

(d) the waiver of any bid, payment, performance, or other bond required by law;

(e) the amendment of a contract negotiated under section 2304 (a) (15), title 10, United States Code, or under section 302 (c) (13) of the Federal Property and Administrative Services Act of 1949, as amended (63 Stat. 377, 394), to increase the contract price to an amount higher than the lowest rejected bid of any responsible bidder; or

(f) the formalization of an informal commitment, unless it is found that at the time the commitment was made it was impracticable to use normal procurement procedures.

70A Stat. 128.

41 USC 252.

Public record.

SEC. 3. (a) All actions under the authority of this Act shall be made a matter of public record under regulations prescribed by the President and when deemed by him not to be detrimental to the national security.

Examination of  
records by Comptroller  
General.

(b) All contracts entered into, amended, or modified pursuant to authority contained in this Act shall include a clause to the effect that the Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of three years after final payment, have access to and the right to examine any directly pertinent books, documents, papers, and records of the contractor or any of his subcontractors engaged in the performance of and involving transactions related to such contracts or subcontracts.

Report to Con-  
gress.

SEC. 4. (a) Every department and agency acting under authority of this Act shall, by March 15 of each year, report to Congress all such actions taken by that department or agency during the preceding calendar year. With respect to actions which involve actual or

potential cost to the United States in excess of \$50,000, the report shall—

- (1) name the contractor;
- (2) state the actual cost or estimated potential cost involved;
- (3) describe the property or services involved; and
- (4) state further the circumstances justifying the action taken.

With respect to (1), (2), (3), and (4), above, and under regulations prescribed by the President, there may be omitted any information the disclosure of which would be detrimental to the national security.

(b) The Clerk of the House and the Secretary of the Senate shall cause to be published in the Congressional Record all reports submitted pursuant to this section.

SEC. 5. This Act shall be effective only during a national emergency declared by Congress or the President and for six months after the termination thereof or until such earlier time as Congress, by concurrent resolution, may designate.

Approved August 28, 1958.

Effective period.

## Public Law 85-805

### AN ACT

To authorize the Secretary of the Army to convey approximately 181 acres of land at Fort Crowder Military Reservation to the city of Neosho, Missouri.

August 28, 1958  
[S. 3534]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That within one year from the date of enactment hereof the Secretary of the Army shall, upon payment of fair value as determined by him, convey to the city of Neosho, Missouri, all right, title, and interest of the United States in and to that portion of the Fort Crowder Military Reservation consisting of approximately 181 acres of land in the northwest portion of the reservation bounded on one side by United States Highway numbered 71 to a depth of approximately 5,817 feet along the reservation boundary to the right-of-way of the Kansas City Southern Railroad and shown on sheet 2 of Kansas City District Engineer drawing numbered 18-02-02, dated October 1954, titled "Fort Crowder, Missouri Master Plan Basic Information Maps Reservation Boundary and Land Use Map" on file with the Chief of Engineers, United States Army, and more particularly described as follows:

Fort Crowder.  
Military Reservation.  
Conveyance.

Starting point northwest corner section 4, township 24, north, range 32 west described as follows: South 89 degrees 17 minutes east 1313.47 feet, south 89 degrees 17 minutes east 1313.47 feet, south 89 degrees 28 minutes 15 seconds east 1320.03 feet, south 89 degrees 28 minutes 15 seconds east 1320.03 feet, and that part of the northwest corner, section 3, south 89 degrees 05 minutes 15 seconds east 550 feet thence south 02 degrees 44 minutes 45 seconds west 1356 feet, thence north 89 degrees 05 minutes 15 seconds west 550 feet, through section four north 89 degrees 28 minutes 15 seconds west 1320.03 feet, north 89 degrees 28 minutes 15 seconds west 1320.03 feet, north 89 degrees 17 minutes west 1313.47 feet, north 89 degrees 17 minutes west 1313.47 feet, thence north 02 degrees 44 minutes 45 seconds east 1356 feet, to the point of beginning, in all containing 180.9 acres more or less, all in Newton County, State of Missouri.

SEC. 2. All mineral rights, including gas and oil in the lands authorized to be conveyed by this Act shall be reserved to the United States.

Approved August 28, 1958.