

## [CHAPTER 292]

## AN ACT

To amend the Agricultural Adjustment Act of 1938.

May 31, 1938  
[S. 3949]

[Public, No. 557]

Agricultural Adjust-  
ment Act of 1938,  
amendments.*Ante*, p. 203.  
Cotton acreage allot-  
ments for 1938.Apportionment of  
unplanted acreage to  
farms receiving inade-  
quate allotments.Preference to farms  
in same county.*Proviso.*  
Transfer of 1938  
allotment not to affect  
any subsequent year.Flue-cured tobacco,  
increased allotments.  
*Ante*, p. 202.Fire-cured and dark  
air-cured and burley  
tobacco, increase in  
1938 quota.  
*Ante*, p. 48.Apportionment to  
farms in States re-  
ceiving inadequate  
allotments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (h) of section 344 of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting, immediately after "Secretary" and before the colon, the following: "and for the crop year 1938 any part of the acreage allotted to individual farms in the State which it is determined, in accordance with regulations prescribed by the Secretary, will not be planted to cotton in the year for which the allotment is made, shall be deducted from the allotments to such farms and may be apportioned, in amounts determined by the Secretary to be fair and reasonable, preference being given to farms in the same county receiving allotments which the Secretary determines are inadequate and not representative in view of the past production of cotton and the acreage diverted from the production of cotton on such farms under the agricultural conservation program in the immediately preceding year: *Provided*, That any such transfer of allotment for 1938 shall not affect apportionment for any subsequent year."

SEC. 2. (a) Section 313 (e) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out "2 per centum" and inserting in lieu thereof "4 per centum".

(b) Section 313 of such Act, as amended, is amended by adding at the end thereof the following:

"(f) In the case of fire-cured and dark air-cured and burley tobacco, the national quota for 1938 is increased by a number of pounds required to provide for each State in addition to the State poundage allotment a poundage not in excess of 2 per centum of the allotment which shall be apportioned in amounts which the Secretary determines to be fair and reasonable to farms in the State receiving allotments under this section which the Secretary determines are inadequate in view of past production of tobacco.

Approved, May 31, 1938.

## [CHAPTER 293]

## AN ACT

To amend section 40 of the United States Employees' Compensation Act, as amended.

May 31, 1938  
[H. R. 4650]

[Public, No. 558]

U. S. Employees'  
Compensation Act,  
amendment.  
39 Stat. 750.  
5 U. S. C. § 790.Construction of  
terms used.

"Physician."

"Medical, surgical,  
and hospital services  
and supplies."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the fifth paragraph of section 40 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, sec. 790), is further amended to read as follows:

"The term 'physician' includes surgeons and osteopathic practitioners within the scope of their practice as defined by State law.

"The term 'medical, surgical, and hospital services and supplies' includes services and supplies by osteopathic practitioners and hospitals within the scope of their practice as defined by State law."

Approved, May 31, 1938.