

(c) Any registry or certificate of registry issued under the authority of this Act to any staff officer shall be suspended or revoked upon satisfactory proof of bad conduct, inattention to his duties, or the willful violation of any provisions of this Act applicable to him, in the same manner and with like procedure as is provided in the case of suspension or revocation of licenses of officers under the provisions of section 4450 of the Revised Statutes, as amended.

SEC. 6. The sixth paragraph of section 4596 of the Revised Statutes, as amended, is amended to read as follows:

“Sixth. For assaulting any master, mate, pilot, engineer, or staff officer, by imprisonment for not more than two years.”

SEC. 7. The Secretary of Commerce shall prescribe rules and regulations to carry out the provisions of this Act.

SEC. 8. As used in this Act the term “vessel of the United States” shall mean any vessel registered, enrolled, or licensed under the laws of the United States, but shall not include a fishing or whaling vessel or a yacht.

SEC. 9. The provisions of section 5 (a) of this Act shall take effect one year from the date of the enactment of this Act.

Approved, August 1, 1939.

[CHAPTER 410]

AN ACT

To prevent pernicious political activities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person to intimidate, threaten, or coerce, or to attempt to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives at any election held solely or in part for the purpose of selecting a President, a Vice President, a Presidential elector, or any Member of the Senate or any Member of the House of Representatives, Delegates or Commissioners from the Territories and insular possessions.

SEC. 2. It shall be unlawful for any person employed in any administrative position by the United States, or by any department, independent agency, or other agency of the United States (including any corporation controlled by the United States or any agency thereof, and any corporation all of the capital stock of which is owned by the United States or any agency thereof), to use his official authority for the purpose of interfering with, or affecting the election or the nomination of any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories and insular possessions.

SEC. 3. It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation, or other benefit, provided for or made possible in whole or in part by any Act of Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election.

SEC. 4. Except as may be required by the provisions of subsection (b), section 9 of this Act, it shall be unlawful for any person to deprive, attempt to deprive, or threaten to deprive, by any means, any

Misconduct, etc.

R. S. § 4450.
46 U. S. C. § 239;
Supp. IV, § 239(d)-(g).

R. S. § 4596.
46 U. S. C. § 701.

Assault on master, etc.

Rules and regulations.

Term construed.

Effective date of section 5 (a) provisions.

August 2, 1939
[S. 1871]

[Public, No. 252]

Prevention of pernicious political activities.

Elections of Federal officials, including Presidential electors.

Intimidation or coercion of voters unlawful.

Use of official authority by anyone in administrative position for purpose of interfering with election unlawful.

Promise of benefit as reward for support of or opposition to a candidate or political party.

Race, creed, etc., discrimination in work relief or relief forbidden.

person of any employment, position, work, compensation, or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

Contributions, etc., for political purposes from persons receiving work relief or relief benefit forbidden.

SEC. 5. It shall be unlawful for any person to solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose whatever from any person known by him to be entitled to or receiving compensation, employment, or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes.

Disclosure of lists or names of persons on relief, for political purposes, unlawful.

SEC. 6. It shall be unlawful for any person for political purposes to furnish or to disclose, or to aid or assist in furnishing or disclosing, any list or names of persons receiving compensation, employment, or benefits provided for or made possible by any Act of Congress appropriating, or authorizing the appropriation of, funds for work relief or relief purposes, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee, or campaign manager, and it shall be unlawful for any person to receive any such list or names for political purposes.

Receipt of list unlawful.

Relief, etc., funds, providing loans for public-works projects, use to coerce or restrain voters forbidden.

SEC. 7. No part of any appropriation made by any Act, heretofore or hereafter enacted, making appropriations for work relief, relief, or otherwise to increase employment by providing loans and grants for public-works projects, shall be used for the purpose of, and no authority conferred by any such Act upon any person shall be exercised or administered for the purpose of, interfering with, restraining, or coercing any individual in the exercise of his right to vote at any election.

Penalty for violation.

SEC. 8. Any person who violates any of the foregoing provisions of this Act upon conviction thereof shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

Executive departments, etc.

Interference by employee of, in an election forbidden.

SEC. 9. (a) It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects. For the purposes of this section the term "officer" or "employee" shall not be construed to include (1) the President and Vice President of the United States; (2) persons whose compensation is paid from the appropriation for the office of the President; (3) heads and assistant heads of executive departments; (4) officers who are appointed by the President, by and with the advice and consent of the Senate, and who determine policies to be pursued by the United States in its relations with foreign powers or in the Nation-wide administration of Federal laws.

Taking any active part in political management or campaigns.

Exceptions.

President and Vice President, and Executive Office personnel.

Heads, etc., of departments.

Policy-determining officers.

(b) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any Act of Congress for such position or office shall be used to pay the compensation of such person.

Penalty for violation.

SEC. 9A. (1) It shall be unlawful for any person employed in any capacity by any agency of the Federal Government, whose compensation, or any part thereof, is paid from funds authorized or appropriated by any Act of Congress, to have membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States.

Membership in party or organization advocating overthrow of our constitutional form of government unlawful.

(2) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any Act of Congress for such position or office shall be used to pay the compensation of such person.

Penalty for violation.

SEC. 10. All provisions of this Act shall be in addition to, not in substitution for, of existing law.

Provisions supplementary to existing law.

SEC. 11. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Saving clause.

Approved, August 2, 1939, 11:50 a. m., E. S. T.

[CHAPTER 411]

AN ACT

To provide for the regulation of the sale of certain securities in interstate and foreign commerce and through the mails, and the regulation of the trust indentures under which the same are issued, and for other purposes.

August 3, 1939

[S. 2065]

[Public, No. 253]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes", approved May 27, 1933, as amended, is amended by adding at the end thereof the following:

48 Stat. 74.
15 U. S. C. §§ 77a-77mm; Supp. IV, ch. 2A.

"TITLE III

"SHORT TITLE

"SEC. 301. This title, divided into sections as follows, may be cited as the 'Trust Indenture Act of 1939':

Trust Indenture Act of 1939.

TABLE OF CONTENTS

TITLE III

- Sec. 301. Short title.
 Sec. 302. Necessity for regulation.
 Sec. 303. Definitions.
 Sec. 304. Exempted securities and transactions.
 Sec. 305. Securities required to be registered under Securities Act.
 Sec. 306. Securities not registered under Securities Act.
 Sec. 307. Qualification of indentures covering securities not required to be registered.
 Sec. 308. Integration of procedure with Securities Act and other Acts.
 Sec. 309. When qualification becomes effective; effect of qualification.
 Sec. 310. Eligibility and disqualification of trustee.
 (a) Persons eligible for appointment as trustee.
 (b) Disqualification of trustee.
 (c) Applicability of section.
 Sec. 311. Preferential collection of claims against obligor.
 Sec. 312. Bondholders' lists.
 Sec. 313. Reports by indenture trustee.
 Sec. 314. Reports by obligor; evidence of compliance with indenture provisions.
 (a) Periodic reports.
 (b) Evidence of recording of indenture.
 (c) Evidence of compliance with conditions precedent.
 (d) Certificates of fair value.
 (e) Recitals as to basis of certificate or opinion.
 (f) Parties may provide for additional evidence.
 Sec. 315. Duties and responsibility of the trustee.
 (a) Duties prior to default.
 (b) Notice of defaults.
 (c) Duties of the trustee in case of default.
 (d) Responsibility of the trustee.
 (e) Undertaking for costs.