

Marine Corps personnel shall not be entitled to the allowances authorized by this section when naval tender facilities or the equivalent thereof are available while traveling by air or in the area where the naval survey or flight checking duties are performed."

Approved, May 31, 1940.

## [CHAPTER 229]

## AN ACT

To authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Florida, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized and directed to accept on behalf of the United States the real estate granted to the United States by the city of Miami, Florida, in manner provided by and in accordance with provisions of resolution numbered 15635 adopted by the Commission of the City of Miami, Florida, on September 20, 1939, as amended by resolution numbered 16087 adopted by the Commission of the City of Miami, Florida, on April 5, 1940.

Approved, June 3, 1940.

## [CHAPTER 230]

## AN ACT

To authorize the Secretary of the Navy to acquire land at Key West, Florida.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized and directed to acquire, by purchase or condemnation, sixty-two acres of land, more or less, in the city of Key West, Florida, fronting on Palm Avenue on the south and the Gulf of Mexico on the north, having a frontage on Palm Avenue of approximately one thousand seven hundred and ninety and eighty-three hundredths feet and being approximately one thousand five hundred and twenty-five and fifty-five hundredths feet deep, for the development and expansion of the Naval Air Station, Key West, Florida.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed \$125,000 to effectuate the purposes of this Act.

Approved, June 3, 1940.

## [CHAPTER 231]

## JOINT RESOLUTION

Providing for the taking effect of Reorganization Plan Numbered V.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of Reorganization Plan Numbered V, submitted to the Congress on May 22, 1940, shall take effect on the tenth day after the date of enactment of this joint resolution, notwithstanding the provisions of the Reorganization Act of 1939.

SEC. 2. Nothing in such plan or this joint resolution shall be construed as having the effect of continuing any agency or function beyond the time when it would have terminated without regard to such plan or this joint resolution or of continuing any function beyond the time when the agency in which it was vested would have terminated without regard to such plan or this joint resolution.

June 3, 1940  
[H. R. 7543]  
[Public, No. 541]

Miami, Fla.  
Acceptance of certain real estate in, authorized.

June 3, 1940  
[H. R. 9140]  
[Public, No. 542]

Naval Air Station, Key West, Fla.  
Acquisition of certain land for.

Appropriation authorized.  
Post, p. 880.

June 4, 1940  
[H. J. Res. 551]  
[Pub. Res., No. 75]

Reorganization Plan Numbered V, effective date.  
Post, p. 1238.

53 Stat. 562.  
5 U. S. C., Supp. V, § 133d.

Continuation of agency or function.

SEC. 3. Any appropriation for the fiscal year ending June 30, 1941, made after the taking effect of such reorganization plan, for the use of the Immigration and Naturalization Service or the Department of Labor in the exercise of functions transferred by such plan, shall, for the purposes of section 3 of such plan, be considered as having been made prior to the taking effect of such plan. Any provision, in any Act of Congress enacted at the third session of the Seventy-sixth Congress, after the taking effect of such plan, which confers upon the Secretary of Labor any function with respect to the Immigration and Naturalization Service or with respect to the immigration and naturalization laws, shall be construed as having conferred such function upon the Attorney General and not upon the Secretary of Labor.

SEC. 4. The provisions of Reorganization Plan Numbered III, submitted to the Congress on April 2, 1940, and the provisions of Reorganization Plan Numbered IV, submitted to the Congress on April 11, 1940, shall take effect on June 30, 1940, notwithstanding the provisions of the Reorganization Act of 1939.

Approved, June 4, 1940.

Immigration and Naturalization Service, etc.  
Certain appropriations deemed made prior to effective date.

Certain functions deemed conferred on Attorney General.

Reorganization Plans Numbered III and IV, effective dates.  
Post, pp. 1231, 1234.

[CHAPTER 232]

AN ACT

To prohibit the exportation of tobacco seed and plants, except for experimental purposes.

June 5, 1940  
[S. 3530]

[Public, No. 543]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be unlawful to export any tobacco seed and/or live tobacco plants from the United States or any Territory subject to the jurisdiction thereof, to any foreign country, port, or place, unless such exportation and/or transportation is in pursuance of a written permit granted by the Secretary of Agriculture. Such permit shall be granted by the Secretary only upon application therefor and after proof satisfactory to him that such seed or plants are to be used for experimental purposes only.

Tobacco seed and plants.  
Exportation prohibited; exception.

SEC. 2. Any persons violating any of the provisions of this Act shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Penalty.

[Received by the President, May 23, 1940.]

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

[CHAPTER 236]

JOINT RESOLUTION

Authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

June 6, 1940  
[H. J. Res. 400]

[Pub. Res., No. 76]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States of America is authorized to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1940, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

General Pulaski's Memorial Day.  
President authorized to invite observance.

Approved, June 6, 1940.