

less than six months for liner services, except United States continental coastwise and intercoastal services and services between continental United States ports and Alaska, or four months for bulk services and United States continental coastwise and intercoastal services and services between continental United States ports and Alaska, or for the remainder of the period ending June 30, 1950, if such period is less than said periods of said six and four months, respectively: *Provided, however,* That no vessel (except a passenger vessel) so chartered may begin a new voyage after June 30, 1950.

Approved June 29, 1949.

[CHAPTER 284]

AN ACT

Amending Public Law 125, Eightieth Congress, approved June 28, 1947, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 125, Eightieth Congress, approved June 28, 1947, as amended, is hereby further amended by changing "SEC. 3" to "SEC. 4" and inserting a new SEC. 3 reading as follows:

"SEC. 3. In order to promote the conservation of the tin ore reserves of the Western Hemisphere and to increase their availability for the tin requirements of the United States through diversification of tin-recovery facilities in the United States, the powers exercised by the Reconstruction Finance Corporation or its successor and continued in effect by the provisions of section 2 hereof shall include authority to offer for sale from time to time and to sell to the highest bidder for the recovery in the United States of grade A pig tin, any tin concentrates or other tin-bearing materials heretofore or hereafter acquired by the Reconstruction Finance Corporation and containing not more than 25 per centum of tin; and to contract to buy up to an equivalent amount of such pig tin for future delivery, not to exceed four months from date of delivery of such concentrates or tin-bearing material to the processor, at the Reconstruction Finance Corporation's selling price for such grade on the date of such contract: *Provided,* That the minimum price at which any such concentrates or tin-bearing materials are so sold shall represent no less return to the Government, as determined or estimated by the Reconstruction Finance Corporation (which determination or estimate shall be deemed conclusive), than would result through the Government itself transporting and treating such concentrates or tin-bearing materials in any Government-owned or controlled facility and transporting and selling the pig tin recovered therefrom."

Approved June 30, 1949.

[CHAPTER 285]

AN ACT

To incorporate the Virgin Islands Corporation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to promote the general welfare of the inhabitants of the Virgin Islands of the United States through the economic development of the Virgin Islands, there is hereby created a body corporate to be known as the Virgin Islands Corporation, hereinafter referred to as the "Corporation". The Corporation shall be subject to the general direction of the President of the United States, or the head of such agency as he may designate as his representative.

June 30, 1949
[S. 1433]

[Public Law 148]

Tin.
61 Stat. 190.
50 U. S. C., Supp.
II, § 98 note.

Authority of RFC
to sell and buy tin con-
centrates, etc.

Minimum price.

June 30, 1949
[H. R. 2989]

[Public Law 149]

Virgin Islands Cor-
poration Act.

SEC. 2. The Corporation shall have its principal offices in the Virgin Islands and in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be an inhabitant of each of these jurisdictions. The Corporation may establish offices in such other place or places as it may deem necessary or appropriate in the conduct of its business.

Principal offices

SEC. 3. Subject to the provisions of the Government Corporation Control Act, the Corporation is authorized to engage in the following activities when it finds that such activities will further the purposes of this Act and will not conflict with the encouragement and promotion of private enterprise in the Virgin Islands:

Activities.

59 Stat. 597.
31 U. S. C. § 841 *et seq.*; Supp. II, § 846 *et seq.*
Post., p. 356.

(a) To examine, investigate, and conduct research and experimentation in the marketing, distributing, advertising, and exporting of products or resources of the Virgin Islands, and to make known the results of such activities.

(b) To encourage and promote the investment of private capital in industrial, agricultural, commercial, or related enterprises, undertakings, or activities in the Virgin Islands. Insofar as may be possible without jeopardizing the maximum development of the industrial, agricultural, commercial, and related resources of the Virgin Islands for the public good, the Corporation shall formulate its policies so as to encourage and promote the investment of capital owned by residents of the Virgin Islands.

(c) To engage in land-use planning to the end that the most economic and socially beneficial use may be made of the soil of the Virgin Islands, and to encourage and assist private persons and organizations to act in accordance with the results of such planning.

(d) To encourage and engage in the business of providing, whenever adequate facilities are not otherwise available, transportation for persons and property between the Virgin Islands and to and from the Virgin Islands, Puerto Rico, and Tortola.

(e) To encourage, promote, and develop, and to assist in the encouragement, promotion, and development of, tourist trade in the Virgin Islands.

(f) To encourage the establishment and development of small farms and small farm communities in the Virgin Islands, and, for that purpose, to construct, equip, improve, and supervise such small farms or communities and to give other assistance to them.

Loans.

(g) To make loans to any person for the establishment, maintenance, operation, construction, reconstruction, repair, improvement, or enlargement of any industrial, commercial, agricultural, or related enterprise, undertaking, or activity in the Virgin Islands whenever such loans are not available from private sources. All loans so made shall be of such sound value or so secured as reasonably to assure repayment, taking into consideration the policy of the Congress that the lending powers of the Corporation shall be administered as a means for accomplishing the purposes stated in section 1 of this Act, and shall bear interest at a rate not exceeding 6 per centum per annum. It shall be the general policy of the Corporation to establish interest rates on loans, subject to the foregoing limitations, that, in the judgment of the Board of Directors, will at least cover the interest cost of funds to the United States Treasury, other expenses of the lending activities of the Corporation, and a risk factor which, over all, should provide for losses that may materialize on loans. The loans made under the authority of this paragraph outstanding at any one time shall not exceed a total of \$5,000,000.

Limitation.

(h) To establish, maintain, operate, and engage in, upon its own account, any appropriate enterprise, undertaking, or activity for the development of the industrial, commercial, mining, agricultural, live-stock, fishery, or forestry resources of the Virgin Islands: *Provided*,

That the Corporation shall not engage in the manufacture of rum or other alcoholic beverages.

Powers of corporation.
Ante, p. 351.

SEC. 4. The Corporation shall have, and may exercise, the following general powers in carrying on the activities specified in section 3 of this Act:

(a) To have succession until June 30, 1959, unless sooner dissolved by Act of Congress.

(b) To adopt, alter, and use a corporate seal, which shall be judicially noticed.

(c) To adopt, amend, and repeal bylaws governing the conduct of its business, and the performance of the powers and duties granted to or imposed upon it by law.

(d) To sue and to be sued in its corporate name.

(e) To determine the character of and the necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid, subject to the laws applicable specifically to Government corporations.

Acquisition of property, etc.

(f) To acquire, in any lawful manner, any property—real, personal, or mixed, tangible or intangible—to hold, maintain, use, and operate the same; and to sell, lease, or otherwise dispose of the same, whenever any of the foregoing transactions are deemed necessary or appropriate to the conduct of the activities authorized by this Act, and on such terms as may be prescribed by the Corporation.

Contracts, etc.

(g) To enter into and perform such contracts, leases, cooperative agreements, or other transactions with any agency or instrumentality of the United States, or with any State, Territory, or possession, or with any political subdivision thereof, or with any person, firm, association, or corporation, as may be deemed necessary or appropriate to the conduct of the activities authorized by this Act, and on such terms as may be prescribed by the Corporation: *Provided*, That in no case shall the Corporation contract to undertake an activity for any agency or instrumentality of the United States, or for any State, Territory, or possession, or for any political subdivision thereof, unless the latter is authorized by law to undertake such activity and furnishes the funds for such purpose.

(h) To execute all instruments necessary or appropriate in the exercise of any of its functions.

Appointment of officers and employees.

(i) To appoint, without regard to the provisions of the civil-service laws, such officers, agents, attorneys, and employees as may be necessary for the conduct of the business of the Corporation; to delegate to them such powers and to prescribe for them such duties as may be deemed appropriate by the Corporation; to fix and pay such compensation to them for their services as the Corporation may determine, without regard to the provisions of the classification laws except to the extent that these laws may be extended to the Corporation by the President of the United States; and to require bonds from such of them as the Corporation may designate, the premiums therefor to be paid by the Corporation. In the appointment of officials and the selection of employees for said Corporation, and in the promotion of any such officials or employees, no political test or qualification shall be permitted or given consideration, but all such appointments and promotions shall be given and made on the basis of merit and efficiency. Any member of said board who is found by the President of the United States or his representative to be guilty of a violation of this section shall be removed from office by the President of the United States, and any appointee of said board who is found by the board to be guilty of a violation of this section shall be removed from office by said board. Persons employed by the Corporation shall not be included in making computations pursuant to the provisions of section 607 of the Federal

Removal from office.

Employees Pay Act of 1945, as amended. The Corporation shall give due consideration to residents of the Virgin Islands in the selection and promotion of its officers and employees.

59 Stat. 304.
5 U. S. C. § 947;
Supp. II, § 947 note.

(j) To use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government.

(k) To have, in the payment of debts out of bankrupt or insolvent estates, the priority of the United States.

(l) To accept gifts or donations of services, or of property—real, personal, or mixed, tangible or intangible—in aid of any of the activities authorized by this Act.

(m) To settle and adjust claims held by it against other persons or parties and by other persons or parties against the Corporation.

(n) To take such actions as may be necessary or appropriate to carry out the powers and duties herein or hereafter specifically granted to or imposed upon it.

SEC. 5. The Corporation in carrying on the activities authorized by this Act shall utilize, to the extent practicable, the available services and facilities of other agencies and instrumentalities of the Federal Government or of the government of the Virgin Islands; and shall not engage in any undertaking which substantially duplicates an undertaking previously initiated and currently being prosecuted within the Virgin Islands by any such agency or instrumentality.

Utilization of services of other agencies, etc.

SEC. 6. (a) The Corporation is authorized to obtain money from the Treasury of the United States, for use in the performance of the powers and duties granted to or imposed upon it by law, not to exceed a total of \$9,000,000 outstanding at any one time. For this purpose appropriations not to exceed \$9,000,000 are hereby authorized to be made to a revolving fund in the Treasury. Advances shall be made to the Corporation from the revolving fund when requested by the Corporation. Not to exceed a total of \$2,750,000 shall be appropriated under any authority contained in this Act for the period ending June 30, 1951, comprising the fiscal years 1950 and 1951.

Appropriations authorized.
Post, p. 875.

(b) As the Corporation repays the amounts thus obtained from the Treasury, the repayments shall be made to the revolving fund.

SEC. 7. (a) The Corporation is hereby authorized to use its funds, from whatever source derived, in the exercise of its corporate powers and functions: *Provided, however,* That the Corporation shall not undertake any new types of activities or major activities not included in the budget program submitted to the Congress pursuant to section 102 of the Government Corporation Control Act, except when authorized by legislation enacted by the Congress after said program is submitted, or except, when the Congress is not in session, upon finding made by the Corporation and approved by the President of the United States that an emergency exists which justifies the undertaking of new types of activities authorized by this Act, but not included in the budget program. Such finding and emergency action shall be reported to the Congress by the President, and appropriations for the expenses of such emergency action are hereby authorized.

Use of funds.

Restriction.

59 Stat. 508a
31 U. S. C. § 847.

Report to Congress.

Payment of interest.

(b) The Corporation shall pay into the Treasury as miscellaneous receipts interest on the advances from the Treasury provided for by section 6 (a) of this Act; on that part of the Government's investment represented by the value, at the time of transfer of the property and other assets transferred, less the liabilities assumed, pursuant to section 10 of this Act; and on the net value, as approved by the Director of the Bureau of the Budget, of any property and assets, the ownership of which hereafter may be transferred by the Government to the Corporation without cost, or for consideration clearly not commensurate with the value received. The Secretary of the Treasury shall deter-

Post, p. 355.

mine the interest rate annually in advance, such rate to be calculated to reimburse the Treasury for its cost, taking into consideration the current average interest rate which the Treasury pays upon its marketable obligations.

Contribution to retirement and disability fund.

(c) The Corporation shall after June 30, 1949, contribute to the civil-service retirement and disability fund, on the basis of annual billings as determined by the Civil Service Commission, for the Government's share of the cost of the civil-service retirement system applicable to the corporation's employees and their beneficiaries. The Corporation shall also after June 30, 1949, contribute to the Employees' Compensation Fund, on the basis of annual billings as determined by the Federal Security Administrator for the benefit payments made from such fund on account of the Corporation's employees. The annual billings shall also include a statement of the fair portion of the cost of the administration of the respective funds, which shall be paid by the Corporation into the Treasury as miscellaneous receipts.

Appropriations authorized.
Post, p. 875.

SEC. 8. (a) Appropriations are hereby authorized for payment to the Corporation in the form of a grant, in such amounts as may be estimated in advance in the annual budget as necessary to cover losses to be sustained in the conduct of its activities which are included in the annual budget as predominantly revenue producing. The Corporation's annual budget program shall specifically set forth any loss sustained in excess of the grant previously made for the last completed fiscal year. Appropriations are hereby authorized for payment to the Corporation to cover such additional losses incurred.

General funds.

(b) Appropriations are also authorized for payment to the Corporation in the form of a grant, to be accounted for as general funds of the Corporation, in such amounts as may be necessary to meet expenses to be incurred for specific programs which are included in the annual budget as not predominantly of a revenue-producing character: *Provided, however*, That (1) in the case of activities of a predominantly non-revenue-producing character the expenses shall not exceed the amounts of the grants for these activities, and that (2) the funds granted under this subsection shall be expended only upon certification by a duly authorized certifying officer designated by the Corporation, and the responsibilities and liabilities of such certifying officer shall be fixed in the same manner as those of certifying officers under the Act of December 29, 1941 (55 Stat. 875), as amended (31 U. S. C. 82b-g).

Restrictions.

Applicability of excess funds payment.

(c) The Board of Directors shall have the power and duty to appraise at least annually its necessary working capital requirements and its reasonably foreseeable requirements for authorized plant replacement and expansion, and it shall pay into the Treasury of the United States any funds in excess thereof. Such payments shall be applied, first, to reduce the balance attributable to advances outstanding under section 6 (a) and, second, to the Government's investment represented by the value of the net assets transferred under section 10 of this Act and any subsequent similar investments by the Government in the Corporation.

Board of Directors.

SEC. 9. The management of the Corporation shall be vested in a Board of Directors consisting of seven members, including the Secretary of the Interior, the Secretary of Agriculture, the Chairman of the Reconstruction Finance Corporation, the Governor of the Virgin Islands, and three experienced businessmen who shall be appointed by the President of the United States.

Terms of office.

The Board shall select its Chairman. The appointed directors shall serve for a period of six years, except that (1) any director appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term, and (2) the terms of office of the directors first taking office

after the date of enactment of this Act shall expire, as designated by the President at the time of appointment, one at the end of two years, one at the end of four years, and one at the end of six years, after the date of enactment of this Act. Qualifications of Board members shall include demonstrated ability, attachment to the public interest, impartiality, and diversified experience among its members. The Board shall be responsible for over-all policy making and general supervision. The Board shall meet at least quarterly, at least one of which meetings each year shall be held in the Virgin Islands. The Board of Directors shall act only by a majority vote of those present at a meeting attended by a quorum, and such quorum shall consist of four directors. Subject to the foregoing limitation, vacancies in the membership of the Board shall not affect its power to act. The directors shall receive no salary for their services on the Board, but under regulations and in amounts prescribed by the Board, with the approval of the President or his representative, may be paid by the Corporation reasonable per diem fees, and allowances in lieu of subsistence expenses, for attendance at meetings of the Board and for time spent on official service of the Corporation, and their necessary travel expenses to and from meetings or when upon such official service, without regard to the Travel Expense Act of 1949. The administrative functions shall be centered in a staff of full-time executive officers headed by a President appointed by the Board. The President shall be responsible to the Board for the execution of programs and policies adopted by the Board and for the day-to-day operations of the Corporation. Between meetings of the Board, the Chairman shall see that the Corporation faithfully executes the programs and policies adopted by the Board.

Meeting.

Ante, p. 166.
Administrative
functions.

SEC. 10. (a) There is hereby transferred to the Corporation the following property:

Transfer of property.

(1) All property—real, personal, and mixed—now operated by the Virgin Islands Company on behalf of the United States, except the property now operated by that Company for the Department of the Interior which was conveyed to that Department by revocable permit from the Navy Department under agreement dated January 1, 1948. The value of the property so transferred shall be fixed at the depreciated cost as of June 30, 1947, shown in schedule 1 of the Comptroller General's report on the audit of the Virgin Islands Company for the fiscal year ended June 30, 1947, adjusted for all changes from that date to the date of transfer, including depreciation at the rates set forth in said schedule 1.

(2) All the assets and property—real, personal and mixed, tangible and intangible—of the Virgin Islands Company. The value of the property so transferred shall be fixed at the value shown on the books of the Virgin Islands Company at the date of transfer, subject to any adjustment deemed necessary as a result of the audit required to be made by the Comptroller General under section 105 of the Government Corporation Control Act.

(3) All of the interest of the United States in the property known as Bluebeard's Castle Hotel situated in the island of Saint Thomas in the Virgin Islands. The value of the property so transferred shall be fixed at a value approved by the Director of the Bureau of the Budget.

Bluebeard's Castle
Hotel.

(b) The Corporation shall assume and discharge all of the liabilities of the Virgin Islands Company: *Provided, however*, That such liabilities shall not be deemed to include the balances of relief grants held by the Virgin Islands Company which are invested in the assets and property embraced by paragraph (a) (2) of this section, and such balances shall become part of the investment of the United States in the Corporation.

Liabilities.

Dissolution of Virgin
Islands Company.

SEC. 11. The Secretary of the Interior, the Under Secretary of the

Interior, and the Governor of the Virgin Islands, who are the stockholders of the Virgin Islands Company, a corporation created by ordinance of the Colonial Council for Saint Thomas and Saint John, Virgin Islands of the United States, are hereby authorized and directed to take such steps as may be appropriate to dissolve the said Virgin Islands Company.

SEC. 12. Section 5 of the Act of May 26, 1936 (49 Stat. 1372, 1373; 48 U. S. C., 1946 edition, sec. 1401d), is hereby amended to read as follows:

Payment in lieu of taxes.

"The Virgin Islands Corporation shall pay annually into the municipal treasuries of the Virgin Islands in lieu of taxes an amount equal to the amount of taxes which would be payable on the real property in the Virgin Islands owned by the Virgin Islands Corporation, if such real property were in private ownership and taxable, but the valuation placed upon such property for taxation purposes by the local taxing authorities shall be reduced to a reasonable amount by the designee of the President of the United States as provided in section 1 of the Virgin Islands Corporation Act if, after investigation, he finds that such valuation is excessive and unreasonable, and any such reduction in valuation, together with the findings on which it is based, shall not be reviewable by any court. The Virgin Islands Corporation shall also pay into the municipal treasuries of the Virgin Islands amounts equal to the amounts of any taxes of general application which a private corporation similarly situated would be required to pay into the said treasuries. Similar payments shall be made with respect to any property owned by the United States in the Virgin Islands which is used for ordinary business or commercial purposes, and the income derived from any property so used shall be available for making such payments: *Provided, however,* That the payments authorized by this section shall not include payments in lieu of income taxes, capital stock taxes, or franchise taxes."

Income, etc., taxes.

59 Stat. 597,
31 U. S. C., Supp.
II, § 846.

SEC. 13. Section 101 of the Government Corporation Control Act is hereby amended by striking out the words "The Virgin Islands Company" and inserting in lieu thereof the words "Virgin Islands Corporation".

Effective date.

SEC. 14. This Act shall become effective on June 30, 1949.

Short title.

SEC. 15. This Act may be cited as the "Virgin Islands Corporation Act".

Approved June 30, 1949.

[CHAPTER 286]

AN ACT

Making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—TREASURY DEPARTMENT

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1950, namely:

OFFICE OF THE SECRETARY

SALARIES

For personal services in the District of Columbia, \$750,000.

Treasury and Post
Office Departments
Appropriation Act,
1950.

Treasury Department
Appropriation
Act, 1950.

June 30, 1949
[H. R. 3083]
[Public Law 150]