

within each grade their names shall appear in the order of their precedence determined by the total amount of service creditable to them for promotion purposes under existing law and in cases of an equal amount of such service, the officer with the greatest amount of continuous commissioned service on the active list of the Regular Army shall have precedence, and, in cases where this is the same, precedence shall be in accordance with permanent seniority standing as established at time of original appointment in the Regular Army, and in cases not covered by the foregoing, precedence shall be established by the Secretary of the Army: *Provided*, That in rearranging the officers on the promotion list as provided in this Act no officer who has once failed of selection for promotion under the provisions of any section of the Officer Personnel Act of 1947 shall have his name advanced above that of any other officer who was considered at the same time and selected for promotion to the grade involved.

61 Stat. 705.  
34 U. S. C., Supp.  
II, § 3a note.

Approved July 16, 1949.

[CHAPTER 342]

JOINT RESOLUTION

Extending section 1302 (a) of the Social Security Act, as amended, until June 30, 1950.

July 16, 1949  
[H. J. Res. 287]  
[Public Law 174]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1302 (a) of the Social Security Act is amended by striking out "1949" and inserting in lieu thereof "1950".

Social Security Act,  
amendments.  
60 Stat. 983.  
42 U. S. C. § 1332.

SEC. 2. Section 1302 (c) of the Social Security Act is hereby amended to read as follows:

"(c) The term 'Federal maritime service' means service performed prior to July 1, 1949, which is determined to be employment pursuant to section 209 (o)."

57 Stat. 47.  
42 U. S. C. § 409 (o).

SEC. 3. Section 1302 (d) of the Social Security Act is hereby amended to read as follows:

"(d) The term 'Federal maritime wages' means remuneration determined pursuant to section 209 (o) to be remuneration for service referred to in section 209 (o) (1) which was performed prior to July 1, 1949."

Approved July 16, 1949.

[CHAPTER 343]

AN ACT

To make effective in the District Court for the Territory of Alaska rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States.

July 18, 1949  
[S. 70]  
[Public Law 175]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a new section be inserted in the Act entitled "An Act making further provision for a civil government for Alaska, and for other purposes", approved June 6, 1900 (31 Stat. 321), as amended, immediately following section 5 of title I thereof, to read as follows:

Alaska.  
District Court.

48 U. S. C. § 103.

"5a. That the rules heretofore or hereafter promulgated and made effective by the Supreme Court of the United States under authority of title 28, United States Code, section 2072, or under authority of any other statute, regulating the forms of process, writs, and motions, and the pleadings, practice, and procedure, in actions of a civil nature in the district courts of the United States, and regulating appeals therefrom, shall apply to the District Court for the Territory of Alaska and to appeals therefrom."

62 Stat. 961.  
28 U. S. C., Supp.  
II, § 2072.  
*Ante*, p. 104; *post*,  
p. 446.

62 Stat. 981.  
28 U. S. C., Supp.  
II, § 2072.  
*Ante*, p. 104.

SEC. 2. The first paragraph of section 2072 of title 28, United States Code, is amended to read as follows:

“The Supreme Court shall have the power to prescribe, by general rules, the forms of process, writs, pleadings, and motions, and the practice and procedure of the district courts of the United States and of the District Court for the Territory of Alaska in civil actions.”

Approved July 18, 1949.

[CHAPTER 351]

JOINT RESOLUTION

July 19, 1949  
[S. J. Res. 114]  
[Public Law 176]

To provide an increase in the authorization for the Federal National Mortgage Association.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 302 of the National Housing Act, as amended, is amended to read as follows:

48 Stat. 1254.  
12 U. S. C., Supp.  
II, § 1717.  
*Post*, p. 905.

“SEC. 302. The total amount of investments, loans, purchases, and commitments made by the Association shall not exceed \$1,500,000,000 outstanding at any one time. The Association is authorized to issue and have outstanding at any one time notes and other obligations in an aggregate amount sufficient to enable it to carry out its functions under this Act or any other provision of law.”

62 Stat. 264, 1209.  
15 U. S. C., Supp.  
II, § 604 (c).  
*Post*, p. 906.

SEC. 2. Section 4 (c) of the Reconstruction Finance Corporation Act, as amended, is hereby amended by striking out “\$2,000,000,000” and inserting in lieu thereof “\$2,500,000,000”.

Approved July 19, 1949.

[CHAPTER 352]

AN ACT

July 20, 1949  
[H. R. 858]  
[Public Law 177]

To clarify the overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 7 of the Fair Labor Standards Act of 1938, as amended, is amended by adding at the end thereof a new subsection (e), to read as follows:

Fair Labor Standards Act of 1938, amendment.  
52 Stat. 1063.  
29 U. S. C. § 207.  
*Post*, pp. 912, 920.  
Overtime compensation.

“(e) For the purpose of computing overtime compensation payable under this section to an employee—

(1) who is paid for work on Saturdays, Sundays, or holidays, or on the sixth or seventh day of the workweek, at a premium rate not less than one and one-half times the rate established in good faith for like work performed in nonovertime hours on other days, or

(2) who, in pursuance of an applicable employment contract or collective bargaining agreement, is paid for work outside of the hours established in good faith by the contract or agreement as the basic, normal, or regular workday (not exceeding eight hours) or workweek (not exceeding forty hours), at a premium rate not less than one and one-half times the rate established in good faith by the contract or agreement for like work performed during such workday or workweek,

the extra compensation provided by such premium rate shall not be deemed part of the regular rate at which the employee is employed and may be credited toward any premium compensation due him under this section for overtime work.”

SEC. 2. No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended (in any action or proceeding commenced prior to or on or after the date of

52 Stat. 1060.  
29 U. S. C. §§ 201-219; Supp. II, § 216.  
*Post*, p. 910.