

to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as applicable and not inconsistent with the provisions hereof: *Provided*, That such duties as are imposed upon the collector of customs or any other person with respect to the seizure and forfeiture of vessels, vehicles, merchandise, and baggage under the customs laws shall be performed with respect to seizures and forfeitures of gambling devices under this Act by such officers, agents, or other persons as may be authorized or designated for that purpose by the Attorney General.

SEC. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Approved January 2, 1951.

Separability.

[CHAPTER 1195]

AN ACT

To prevent penalties and additions to tax in case of failure to meet requirements with respect to estimated tax by reason of increases imposed by the Revenue Act of 1950.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 145 of the Internal Revenue Code (relating to penalties with respect to failure to file returns, pay tax, etc.,) is amended by relettering subsection (e) as subsection (f) and by adding after subsection (d) a new subsection (e) as follows:

“(e) In the case of taxable years beginning prior to October 1, 1950, and ending after September 30, 1950, the penalties prescribed by this section shall not be applicable if the taxpayer failed to meet the requirements of section 294 (d) (2) (relating to substantial under-estimate of estimated tax), by reason of the increase in normal tax and surtax on individuals imposed by section 101 of the Revenue Act of 1950.”

SEC. 2. Paragraph (2) of subsection (d) of section 294 of the Internal Revenue Code is amended by adding at the end of paragraph (2) a new sentence reading as follows: “In the case of taxable years beginning prior to October 1, 1950, and ending after September 30, 1950, the additions to tax prescribed by this subsection shall not be applicable if the taxpayer failed to meet the 80 per centum and 66 $\frac{2}{3}$ per centum requirements of this paragraph by reason of the increase in normal tax and surtax on individuals imposed by section 101 of the Revenue Act of 1950.”

Approved January 2, 1951.

[CHAPTER 1196]

JOINT RESOLUTION

Amending section 3804 of the Internal Revenue Code.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3804 of the Internal Revenue Code is hereby amended by adding at the end thereof the following new subsection:

“(f) **ADDITIONAL TIME TO BE DISREGARDED.**—In the case of an individual serving in the Armed Forces of the United States, or serving in support of such Armed Forces, in an area designated by the President of the United States by Executive order as a ‘combat zone’ for the purposes of section 22 (b) (13), at any time during the period

January 2, 1951

[H. R. 9913]

[Public Law 907]

Internal Revenue
Code, amendments.
53 Stat. 62.
26 U. S. C. § 145.

Infra.

Ante, p. 910.

58 Stat. 37.
26 U. S. C. § 294
(d) (2).

Ante, p. 910.

January 2, 1951

[H. J. Res. 554]

[Public Law 908]

Internal Revenue
Code, amendment.
56 Stat. 961.
26 U. S. C. § 3804;
Sup. III, § 3804 (c).

Ante, p. 927.

designated by the President by Executive order as the period of combatant activities in such zone for the purposes of such section, or hospitalized outside the States of the Union and the District of Columbia as a result of injury received while serving in such an area during such time, the period of time disregarded under this section, notwithstanding the limitations of subsections (a) and (c), shall include the period of service in such area, plus the period of continuous hospitalization outside the States of the Union and the District of Columbia attributable to such injury, and the next one hundred and eighty days thereafter.”

56 Stat. 961, 962.
26 U. S. C. § 3804 (a);
Sup. III, § 3804 (c)

Approved January 2, 1951.

[CHAPTER 1199]

AN ACT

To provide revenue by imposing a corporate excess profits tax, and for other purposes.

January 3, 1951
[H. R. 9827]
[Public Law 909]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Excess Profits Tax Act of 1950”.

Excess Profits Tax
Act of 1950.

TITLE I—EXCESS PROFITS TAX

SEC. 101. IMPOSITION OF EXCESS PROFITS TAX.

Effective with respect to taxable years ending after June 30, 1950, chapter 1 of the Internal Revenue Code is hereby amended by adding after section 424 the following new subchapter:

Ante, p. 952.

“SUBCHAPTER D—EXCESS PROFITS TAX

“Part I—Rate and Computation of Tax

“SEC. 430. IMPOSITION OF TAX.

“(a) **GENERAL RULE.**—In addition to other taxes imposed by this chapter, there shall be levied, collected, and paid for each taxable year ending after June 30, 1950, and beginning before July 1, 1953, upon the adjusted excess profits net income, as defined in section 431, of every corporation (except a corporation exempt under section 454) an excess profits tax equal to whichever of the following amounts is the lesser:

Post, p. 1138.

Post, p. 1184.

- “(1) 30 per centum of the adjusted excess profits net income, or
- “(2) an amount equal to the excess of 62 per centum of the excess profits net income for the taxable year over the tax which would be imposed for the taxable year under sections 13, 14, and 15, supplement G, and supplement Q, whichever are applicable to the taxpayer, computed (subject to section 108 and section 141, if applicable) as if the amount of the normal-tax net income and the amount of the corporation surtax net income (or the amount subject to the rate of tax in such supplement) were equal to the amount of the excess profits net income for such year.

53 Stat. 71, 96.
26 U. S. C. §§ 201-
207, 361-363.
Ante, pp. 914, 915,
920; *post*, p. 1217.

“(b) **TAXABLE YEARS BEGINNING BEFORE JULY 1, 1950, AND ENDING AFTER JUNE 30, 1950.**—In the case of a taxable year beginning before July 1, 1950, and ending after June 30, 1950, the tax imposed by subsection (a) shall be an amount equal to that portion of a tentative tax, determined under subsection (a), which the number of days in such taxable year after June 30, 1950, bears to the total number of days in such taxable year.

“(c) **TAXABLE YEARS BEGINNING BEFORE JULY 1, 1953, AND ENDING AFTER JUNE 30, 1953.**—In the case of a taxable year beginning