

or cargo, having due regard to the class of vessel or cargo, as is granted to such carrier or other person subject to this Act.

"Whoever violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than \$5,000 for each offense."

Penalty for violation.

Approved, June 16, 1936.

[CHAPTER 582.]

AN ACT

To amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes.

June 16, 1936.
[H. R. 11687.]
[Public, No. 686.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to be expended according to the provisions of such Act as amended: The sum of \$125,000,000 for the fiscal year ending June 30, 1938, and the sum of \$125,000,000 for the fiscal year ending June 30, 1939.

Federal Aid Highway Act of 1916, amendments.
Vol. 39, p. 355; Vol. 42, pp. 212, 661; Vol. 46, p. 805.
U. S. C., p. 969.

Sums authorized for fiscal years 1938 and 1939.

(a) All sums authorized in this section and apportioned to the States shall be available for expenditure for one year after the close of the fiscal year for which said sums, respectively, are authorized, and any sum remaining unexpended at the end of the period during which it is available for expenditure shall be reapportioned among the States as provided in section 21 of the Federal Highway Act of 1921 (42 Stat. 212).

Apportionment, availability, etc.

Use of unexpended balances.

(b) On or before January 1 of each year, the Secretary of Agriculture shall apportion among the several States, as provided in section 21 of the Federal Highway Act of 1921, the sums authorized for the fiscal year immediately following. When said apportionment has been made for any fiscal year, the State highway departments may submit projects to the Secretary of Agriculture for his approval. The Secretary of Agriculture shall act upon projects submitted to him under any such apportionment and his approval of any such project shall be deemed a contractual obligation of the Federal Government for the payment of its proportional contribution thereto: *Provided*, That projects approved under any apportionment before the beginning of the fiscal year for which such apportionment has been made may be contracted for by the States and construction thereon may be begun, but the total reimbursements to any State or Territory before the beginning of such fiscal year shall not exceed the total of all previous apportionments to such State or Territory.

Time for making apportionment.
Vol. 42, p. 217.

Submission of State projects for approval.

Proriso.
Approval and beginning of projects before beginning of fiscal year for which apportionment made.

(c) The term "highway" as defined in the Federal Highway Act, approved November 9, 1921, as amended and supplemented, shall be deemed to include such main parkways as may be designated by the State and approved by the Secretary of Agriculture as part of the Federal-aid highway system.

"Highway" defined.
Vol. 42, p. 212.

(d) If within the fiscal years 1936 or 1937 the Secretary of Agriculture shall find with respect to any State that the proceeds of all special taxes on motor-vehicle transportation, as referred to in section 12 of the Act of June 18, 1934 (48 Stat. 993), are applied to highway purposes as defined in said section and shall further find that after having so applied such proceeds to such highway purposes other than construction there will be insufficient balance

Use of Federal funds without matching, in specified cases.
Vol. 48, p. 995.

U. S. C., p. 969.

remaining for construction with which to match all, or any part, of the regular Federal-aid road funds apportioned to such State for either or both said years, respectively, in accordance with the provisions of the Federal Highway Act of 1921, as amended and supplemented, all, or such portion, of such apportionment as the State is unable to match shall be available for expenditure in such State in accordance with said Federal Highway Act without being matched by the State with State funds.

Forest highways, roads, and trails; amounts for 1938 and 1939.

SEC. 2. For the purpose of carrying out the provisions of section 23 of the Federal Highway Act of 1921 there is hereby authorized to be appropriated for forest highways, roads, and trails the following sums, to be available until expended in accordance with the provisions of said section 23: The sum of \$14,000,000 for the fiscal year ending June 30, 1938; the sum of \$14,000,000 for the fiscal year ending June 30, 1939: *Provided*, That one-third, but not less than \$3,000,000, of the appropriation made for any fiscal year for carrying out the provisions of said section 23 may hereafter be expended for the purposes enumerated in the first paragraph of clause (a) of said section 23: *And provided further*, That on or before January 1 of each year the Secretary of Agriculture shall apportion and prorate among the several States, Alaska, and Puerto Rico, as provided in said section 23, the sum authorized for the fiscal year immediately following and the Secretary of Agriculture is authorized to approve projects under any such apportionment, and to incur obligations or enter into contracts under his apportionment and prorating of the authorization, and his action in so doing shall be deemed a contractual obligation on the part of the Federal Government for the payment of the cost thereof.

Vol. 42, p. 218.

Provisos.
Primary, etc., roads.

Time for making apportionments.

Powers of Secretary of Agriculture.

SEC. 3. For the purpose of carrying out the provisions of section 3 of the Federal Highway Act of 1921, as amended June 24, 1930 (46 Stat. 805), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, the sum of \$2,500,000 for the fiscal year ending June 30, 1938, and the sum of \$2,500,000 for the fiscal year ending June 30, 1939, to remain available until expended.

Cooperative construction through Federal reservations, etc.

Amounts authorized.

National Park Service.

Roads, etc., in areas administered by.

Vol. 46, p. 1053.

Amounts authorized.

National parkways. Construction, maintenance, etc.

Amounts authorized.

Proviso.
Determination of location.

SEC. 4. For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of \$7,500,000 for the fiscal year ending June 30, 1938, and the sum of \$7,500,000 for the fiscal year ending June 30, 1939.

SEC. 5. For the construction and maintenance of parkways, to give access to national parks, and national monuments, or to become connecting sections of a national parkway plan, over lands to which title has been transferred to the United States by the States or by private individuals, there is hereby authorized to be appropriated the sum of \$10,000,000 for the fiscal year ending June 30, 1938, and the sum of \$10,000,000 for the fiscal year ending June 30, 1939: *Provided*, That the location of such parkways upon public lands, national forests, or other Federal reservations shall be determined by agreement between the department having jurisdiction over such lands and the National Park Service.

SEC. 6. For construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of \$4,000,000 for the fiscal year ending June 30, 1938, and the sum of \$4,000,000 for the fiscal year ending June 30, 1939: *Provided*, That hereafter the location, type and design of all roads constructed under the provisions of said Act of May 26, 1928, shall be approved by the Bureau of Public Roads before any expenditures are made thereon, and all such construction done by contract shall be under the general supervision of said Bureau.

Indian reservation roads.
Construction, improvement, etc.
Vol. 45, p. 750.

Proviso.
Location, type, and design.

Contract work supervision.

Secondary or feeder roads.

Amounts authorized.

Proviso.
Application of funds.

SEC. 7. In addition to any other authorizations which have been made, there is hereby authorized to be appropriated to the several States to be apportioned and expended under the provisions of the Federal Highway Act of 1921, as amended and supplemented: The sum of \$25,000,000 for the fiscal year ending June 30, 1938; the sum of \$25,000,000 for the fiscal year ending June 30, 1939: *Provided*, That the sums herein authorized shall be applied to secondary or feeder roads, including farm-to-market roads, rural free delivery mail roads, and public-school bus routes.

Elimination of railroad grade crossings.

Apportionment.

Vol. 42, p. 217.

Basis of apportionment.

SEC. 8. For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, there is hereby authorized to be appropriated, to be apportioned on or before the 1st day of January of each year preceding the fiscal year for which it is authorized among the several States (including the Territory of Hawaii and the District of Columbia) in accordance with the provisions of the Federal Highway Act of 1921, as amended and supplemented, except that such apportionment shall be one-half on population as shown by the latest decennial census, one-fourth on the mileage of the Federal-aid highway system as determined by the Secretary of Agriculture, and one-fourth on the railroad mileage as determined by the Interstate Commerce Commission, and to be expended in accordance with said Federal Highway Act, as amended and supplemented, except that no part of such funds apportioned to any State need be matched by the State: The sum of \$50,000,000 for the fiscal year ending June 30, 1938; the sum of \$50,000,000 for the fiscal year ending June 30, 1939: *Provided*, That no part of the appropriations hereafter made for the purpose of carrying out the provisions of the Federal Highway Act, or any Acts amendatory thereof or supplementary thereto, shall be approved for expenditure on any highway unless proper safety protective devices shall be installed or be in operation at any highway and railroad grade crossing or draw-bridge on that portion of the highway with respect to which such expenditures are to be made and said devices shall comply with the safety standards determined by the United States Bureau of Public Roads at that time as being adequate.

Matching not required.

Amounts authorized.

Proviso.
Adequate safety devices required.

SEC. 9. With the approval of the Secretary of Agriculture, not to exceed 1½ per centum of the amount apportioned for any year to any State under sections 1, 7, and 8 of this Act may be used for surveys, plans, engineering, and economic investigations of projects for future construction in such State, either on the Federal-aid highway system and extensions thereof or on secondary or feeder roads.

Engineering and economic surveys.

SEC. 10. (a) That all taxes levied by any State, Territory or the District of Columbia upon sales of gasoline and other motor vehicle fuels may be levied, in the same manner and to the same extent, upon such fuels when sold by or through post exchanges, ship

Gasoline, etc., taxes.
Levy extended to agencies on United States reservations; exception.

stores, ship service stores, commissaries, filling stations, licensed traders, and other similar agencies, located on United States military or other reservations, when such fuels are not for the exclusive use of the United States. Such taxes, so levied, shall be paid to the proper taxing authorities of the State, Territory or the District of Columbia, within whose borders the reservation affected may be located.

Collection of.

Report to be made.

(b) The officer in charge of such reservation shall, on or before the fifteenth day of each month, submit a written statement to the proper taxing authorities of the State, Territory or the District of Columbia within whose borders the reservation is located, showing the amount of such motor fuel not sold for the exclusive use of the United States during the preceding month.

Approved, June 16, 1936.

[CHAPTER 583.]

AN ACT

June 16, 1936.
[H. R. 7690.]

[Public, No. 687.]

To authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, New York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, New York, there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Albany, N. Y.
Coinage of 50-cent
pieces commemorating
founding of, author-
ized.

No Federal expense
for dies, etc.

Date, issue, etc.

Number.

Disposition.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of a committee of not less than three persons duly authorized by the mayor of the city of Albany, New York, upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such committee, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Coinage laws appli-
cable.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, June 16, 1936.