

[CHAPTER 431]

JOINT RESOLUTION

To amend section 4 of Public Resolution Numbered 54, approved November 4, 1939, entitled "Joint resolution to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests."

June 26, 1940
[S. J. Res. 279]
[Pub. Res., No. 87]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of Public Resolution Numbered 54, approved November 4, 1939, entitled "Joint resolution to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests" be, and is hereby, amended to read as follows:

Neutrality Act of 1939, amendment. *Ante*, p. 7; *post*, p. 866.
22 U. S. C., Supp. V, § 245j-3.

"SEC. 4. The provisions of section 2 (a) shall not prohibit the transportation by vessels, unarmed and not under convoy, under charter or other direction and control of the American Red Cross of officers and American Red Cross personnel, medical personnel, and medical supplies, food, and clothing, for the relief of human suffering: *Provided*, That where permission has not been given by the blockading power, no American Red Cross vessel shall enter a port where a blockade by aircraft, surface vessel, or submarine is being attempted through the destruction of vessels, or into a port of any country where such blockade of the whole country is being so attempted: *Provided further*, That such American Red Cross vessel shall be on a mission of mercy only and carrying only Red Cross materials and personnel."

American Red Cross vessels.

Provisos.
Blockaded ports.

Mission; materials and personnel.

Approved, June 26, 1940.

[CHAPTER 432]

JOINT RESOLUTION

Making appropriations for work relief and relief, for the fiscal year ending June 30, 1941.

June 26, 1940
[H. J. Res. 544]
[Pub. Res., No. 88]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Emergency Relief Appropriation Act, fiscal year 1941".

Emergency Relief Appropriation Act, fiscal year 1941.

WORK PROJECTS ADMINISTRATION

SECTION 1. (a) In order to continue to provide work for needy persons on useful public projects in the United States and its Territories and possessions, there is hereby appropriated to the Work Projects Administration, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, \$975,650,000, together with all balances of appropriations under section 1 (a) of the Emergency Relief Appropriation Act of 1939, which remain unobligated on June 30, 1940, including such unobligated balances of funds transferred to other Federal agencies for nonconstruction projects under the provisions of section 11 (a) of such Act of 1939, or set aside for specific purposes in accordance with other law: *Provided*, That notwithstanding any other provision of law, funds heretofore irrevocably set aside for the completion of Federal construction projects under authority of the Emergency Relief Appropriation Acts of 1938 and 1939 shall remain available until June 30, 1941, for such completion, and any such funds which remain unobligated by reason of the completion or abandonment of any such Federal construction project shall be returned to this appropriation: *Provided further*, That the funds appropriated by this section may be apportioned for a lesser period than the twelve months of the fiscal year 1941, but not for less than eight months, as determined by the President, if in his judgment such action is

Continuation of work relief.

53 Stat. 927.
15 U. S. C., Supp. V, ch. 16 (note).

Provisos.
Completion of Federal construction projects, funds available.
52 Stat. 809; 53 Stat. 927.
15 U. S. C., Supp. V, ch. 16 (note).

Apportionment during 1941.

required to meet unemployment conditions during such lesser period, but the funds so appropriated shall be so administered during such period as to constitute the total amount that will be furnished to such Administration during such period.

(b) The funds provided in this section shall be available for (1) administration; (2) the prosecution of projects approved by the President under the provisions of the Emergency Relief Appropriation Acts of 1937, 1938, and 1939; and (3) the prosecution of the following types of public projects, Federal and non-Federal, subject to the approval of the President, namely: Highways, roads, and streets; public buildings; parks, and other recreational facilities, including buildings therein; public utilities; electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and cooperative associations; sewer systems, water supply, and purification systems; airports and other transportation facilities; flood control; drainage; irrigation, including projects sponsored by community ditch organizations; water conservation; soil conservation, including projects sponsored by soil conservation districts and other bodies duly organized under State law for soil erosion control and soil conservation, preference being given to projects which will contribute to the rehabilitation of individuals and an increase in the national income; forestation, reforestation, and other improvements of forest areas, including the establishment of fire lanes; fish, game, and other wildlife conservation; eradication of insect, plant, and fungus pests; the production of lime and marl for fertilizing soil for distribution to farmers under such conditions as may be determined by the sponsors of such projects under the provisions of State law; educational, professional, clerical, cultural, recreational, production, and service projects, including training for nursing and for domestic service; aid to self-help and cooperative associations for the benefit of needy persons; and miscellaneous projects: *Provided*, That all persons employed on work projects shall, so far as practicable, be employed on projects nearest their respective homes.

(c) The funds appropriated in this section, exclusive of those used for administrative expenses, shall be so administered that expenditure authorizations for other than labor costs for all the work projects financed from such funds in any State, Territory, possession, or the District of Columbia shall not exceed an average for the fiscal year ending June 30, 1941, of \$6 per month per worker, except that the Commissioner of Work Projects (hereinafter referred to as the "Commissioner") may authorize an increase in the average in cases where the increased cost of materials would have the effect of raising such average above \$6 but in no event shall the increase in such average exceed the amount necessary to meet such increase in material costs and in no event shall such average exceed \$7: *Provided*, That the funds appropriated in this section shall not be used for the purchase of any construction equipment or machinery in any case in which such equipment or machinery can be rented at prices determined by the Commissioner to be reasonable, and his determinations, made in conformity with rules and regulations prescribed by him, shall be final and conclusive: *Provided further*, That not to exceed \$25,000,000 of funds herein appropriated to the Work Projects Administration may be used by the Commissioner to supplement the amounts so authorized for other than labor costs in any State, Territory, possession, or the District of Columbia in connection with the prosecution of projects which have been certified by the Secretary of War and the Secretary of the Navy, respectively, as being important for military or naval purposes.

Funds available for administration and designated projects.
Post, p. 634.

50 Stat. 352; 52 Stat. 809; 53 Stat. 927.
15 U. S. C., Supp. V, ch. 16 (note).

Post, p. 634.

Proviso.
Employment on nearest project.

Limitation on use of funds for other than labor costs.

Increases allowed.

Provisos.
Restriction on purchase of construction equipment, etc.

Use of funds for projects of military or naval importance.

(d) In administering the funds appropriated in this section, not to exceed three-fourths of the total cost of all non-Federal projects approved after January 1, 1940, to be undertaken within any State, Territory, possession, or the District of Columbia, with respect to which any such funds are used, shall be borne by the United States, and not less than one-fourth of such total cost shall be borne by the State and its political subdivisions, or by the Territory, possession, or the District of Columbia, as the case may be: *Provided*, That the provisions of this subsection shall not apply to projects (1) which have been certified by the Secretary of War and the Secretary of the Navy, respectively, as being important for military or naval purposes, or (2) which authorize necessary temporary measures to avert danger to life, property, or health in the event of disaster or grave emergency caused by flood, storm, fire, earthquake, drought, or similar cause. The facts constituting compliance with the requirements of this subsection shall be determined by the Commissioner, and his determinations, made in conformity with rules and regulations prescribed by him, shall be final and conclusive.

Non-Federal projects.
Allocation of cost.

Proviso.
Projects excepted.

(e) The funds appropriated in section 1 (a) hereof shall be available to provide, under regulations to be prescribed by the Commissioner, for medical and hospital facilities for work camp project employees and burial expenses of deceased work camp project employees, including the transportation of remains to place of burial: *Provided*, That deductions shall be made from the earnings of all project employees quartered in such camps in an amount sufficient to offset the estimated cost to the United States for furnishing the foregoing.

Medical, etc., facilities;
burial expenses.

Proviso.
Costs borne by project employees.

(f) When it is found that as a result of bad faith, fraud, or misrepresentation on the part of the sponsor, any land, building, structure, facility, or other project, or any part thereof, upon which funds appropriated in this joint resolution have been expended, is used, transferred, or disposed of without retention and control for public use, the sponsor of the project and the person or organization to which the land, building, structure, facility, or project has been sold, leased, or given, shall be liable, jointly and severally, upon demand of the Commissioner or his duly authorized representative, to pay over to the United States an amount equal to the amount of Federal funds expended on such land, building, structure, facility, or project.

Fraud, etc., on part
of sponsor.

Liability of persons
concerned.

(g) The amount which may be obligated for administrative expenses of the Work Projects Administration in the District of Columbia and in the field shall not exceed in the aggregate the sum of \$41,534,000 during the fiscal year 1941, of which sum the amounts so to be obligated for the following respective purposes shall not exceed these sums: Salaries, \$34,105,000; communication service, \$612,750; travel, \$3,610,000; and printing and binding, \$437,000: *Provided*, That if the President shall determine under section 1 (a) that the appropriation made by such section shall be apportioned for a period less than the entire fiscal year, the Director of the Bureau of the Budget shall apportion the amounts which may be obligated for administrative expenses for such period, but if the period determined is an eight months' period there may be obligated for administrative expenses not to exceed \$30,875,000, of which sum not to exceed \$25,626,250 shall be available for salaries; \$418,000 for communication service; \$2,536,500 for travel; and \$323,000 for printing and binding.

Administrative expenses, maximum.

Designated purposes.

Proviso.
Apportionment during 1941.

(h) The Commissioner shall transmit to Congress, on the first day of each regular session thereof, a statement showing for each State the names, addresses, positions, and compensation of all employees of the Work Projects Administration whose compensation is at the

Statements of personnel, etc., to Congress.

rate of \$1,200 per annum or more. For the purposes of this subsection, the term "State" shall include the Territories, possessions, and the District of Columbia.

(i) The functions heretofore vested in the Works Progress Administration and the Work Projects Administration are authorized to be carried out until June 30, 1941, by the Work Projects Administration subject to the provisions of this joint resolution and such latter Administration is hereby extended until such date to carry out the purposes of this section.

(j) The President may detail a commissioned officer on the active list of the United States Army to perform the functions of the office of Commissioner of Work Projects, without loss of or prejudice to his status as such officer. Any commissioned officer so detailed shall receive, in addition to his pay and allowances as such officer, an amount sufficient to make his total compensation \$10,000 per annum while he is so detailed.

DEPARTMENT OF AGRICULTURE

Rural rehabilitation and relief.

SEC. 2. (a) In order to continue to provide assistance through rural rehabilitation and relief to needy farmers and relief to other needy persons in the United States, its Territories and possessions, there is hereby appropriated to the Department of Agriculture, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, \$59,000,000, together with the balance of the appropriation under section 3 of the Emergency Relief Appropriation Act of 1939 which remains unobligated on June 30, 1940.

(b) The funds appropriated by subsection (a) of this section shall be available for (1) administration (not to exceed \$7,500,000); (2) farm debt adjustment service and making and servicing of loans and relief under this section and prior law; (3) loans; (4) relief; (5) the prosecution of projects approved by the President for the Farm Security Administration under the Emergency Relief Appropriation Acts of 1938 and 1939; and (6) the following types of useful public projects, Federal and non-Federal, subject to the approval of the President: (a) Projects involving provision of additional water facilities, (b) projects involving construction and operation of migratory labor camps, and (c) projects involving land development (to provide work relief for homesteaders) on rural rehabilitation projects.

(c) In order to furnish the Secretary of Agriculture with additional funds for the purpose of making rural rehabilitation loans to needy farmers, the Reconstruction Finance Corporation is authorized and directed, until June 30, 1941, to make advances to the Secretary of Agriculture upon his request in an aggregate amount of not to exceed \$125,000,000. Such advances shall be made: (1) With interest at the rate of 3 per centum per annum payable semiannually; (2) upon the security of obligations acceptable to the Corporation heretofore or hereafter acquired by the Secretary pursuant to law; (3) in amounts which shall not exceed 75 per centum of the then unpaid principal amount of the obligations securing such advances; and (4) upon such other terms and conditions, and with such maturities, as the Corporation may determine. The Secretary of Agriculture shall pay to the Corporation, currently as received by him, all moneys collected as payments of principal and interest on the loans made from the amounts so advanced, or collected upon any obligations held by the Corporation as security for such advances, until such amounts are fully repaid. The amount of notes, debentures, bonds, or other such obligations which the Corporation is authorized and empowered to issue and to have outstanding at any one time under

Work Projects Administration.
Extension to June 30, 1941.

Detail of Army officer as Commissioner of Work Projects.

Compensation.

53 Stat. 929.
15 U. S. C., Supp. V, ch. 16 (note).

Availability of funds.

52 Stat. 809; 53 Stat. 927.
15 U. S. C., Supp. V, ch. 16 (note).

Advances from R. F. C., maximum.

Conditions.

Payments to R. F. C.

Increase of R. F. C. notes, etc., authorized.

the provisions of law in force on the date this subsection takes effect is hereby increased by an amount sufficient to carry out the provisions of this subsection.

(d) In making any relief payments under this section, the Secretary of Agriculture is authorized to require of employable recipients of such payments the performance of work on useful public projects, Federal and non-Federal, including work on private or public land in furtherance of the conservation of natural resources, and the provisions of section 23 of this joint resolution, relating to disability or death compensation and benefits, shall apply to such recipients while performing such work.

Disability or death compensation and benefits.

(e) The proceeds of each loan made under this section shall be impressed with a trust for the purposes for which such loan is made, and such proceeds may be used only for such purposes, and shall continue subject to such trust and shall be free from garnishment attachment, levy, or seizure by or under any legal or equitable process whatever until used by the borrower for such purposes. It shall be unlawful for any borrower to use the proceeds of any loan made to him for any purpose other than those stated in his loan application, except with the written permission of the Secretary of Agriculture or his duly authorized representative. Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not more than \$1,000, or by imprisonment for not more than six months, or both.

Proceeds of loan impressed with a trust.

Unlawful use of proceeds.

Penalty.

No loan shall be made under this section to any person to enable him to subscribe or pay for stock or membership in any cooperative association or branch thereof not organized or in existence on the date of enactment of this joint resolution.

Cooperative associations.

(f) The Farm Security Administration within the Department of Agriculture is hereby extended until June 30, 1941, to carry out the purposes of this section.

Farm Security Administration, extension.

PUERTO RICO RECONSTRUCTION ADMINISTRATION

SEC. 3. (a) In order to continue rural rehabilitation for needy persons in Puerto Rico and for other projects described in this section, there is hereby appropriated to the Puerto Rico Reconstruction Administration, Department of the Interior, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, \$4,000,000, together with the balance of the appropriation under section 4 of the Emergency Relief Appropriation Act of 1939, and the balance in the special fund created under the Act of February 11, 1936 (49 Stat. 1135), which remain unobligated on June 30, 1940.

Continuation of rural rehabilitation, etc.

53 Stat. 930.
15 U. S. C., Supp.
V, ch. 16 (note).

(b) The funds provided in this section shall be available for (1) administration; (2) loans; (3) the prosecution of projects approved by the President for the Puerto Rico Reconstruction Administration under the provisions of the Emergency Relief Appropriation Acts of 1935 and 1938; and (4) subject to the approval of the President, for projects involving rural rehabilitation of needy persons: *Provided*, That the cost (including all overhead expenses) of any dwelling or any other building the construction of which is hereafter undertaken in connection with such rural rehabilitation shall not exceed \$750 and \$400, respectively.

Availability of funds.

49 Stat. 115; 52 Stat. 809.
15 U. S. C., Supp.
V, ch. 16 (note).

Proviso.
Limitation on cost of buildings.

(c) That section 5 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

Fair Labor Standards Act of 1938, amendment.

“(e) No industry committee appointed under subsection (a) of this section shall have any power to recommend the minimum rate or rates of wages to be paid under section 6 to any employees in Puerto Rico or in the Virgin Islands. Notwithstanding any other

52 Stat. 1062.
29 U. S. C., Supp.
V, § 205.

Minimum rates of wages of employees in Puerto Rico and the Virgin Islands.

provision of this Act, the Administrator may appoint a special industry committee to recommend the minimum rate or rates of wages to be paid under section 6 to all employees in Puerto Rico or the Virgin Islands, or in Puerto Rico and the Virgin Islands, engaged in commerce or in the production of goods for commerce, or the Administrator may appoint separate industry committees to recommend the minimum rate or rates of wages to be paid under section 6 to employees therein engaged in commerce or in the production of goods for commerce in particular industries. An industry committee appointed under this subsection shall be composed of residents of such island or islands where the employees with respect to whom such committee was appointed are employed and residents of the United States outside of Puerto Rico and the Virgin Islands. In determining the minimum rate or rates of wages to be paid, and in determining classifications, such industry committees and the Administrator shall be subject to the provisions of section 8 and no such committee shall recommend, nor shall the Administrator approve, a minimum wage rate which will give any industry in Puerto Rico or in the Virgin Islands a competitive advantage over any industry in the United States outside of Puerto Rico and the Virgin Islands."

Nonapplication of prior wage orders.

(d) No wage orders issued by the Administrator pursuant to the recommendations of an industry committee made prior to the enactment of this joint resolution pursuant to section 8 of the Fair Labor Standards Act of 1938 shall after such enactment be applicable with respect to any employees engaged in commerce or in the production of goods for commerce in Puerto Rico or the Virgin Islands.

52 Stat. 1062.
29 U. S. C., Supp.
V, § 206.

Superseding of certain minimum wage provisions; condition.

(e) Section 6 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(c) The provisions of paragraphs (1), (2), and (3) of subsection (a) of this section shall be superseded in the case of any employee in Puerto Rico or the Virgin Islands engaged in commerce or in the production of goods for commerce only for so long as and insofar as such employee is covered by a wage order issued by the Administrator pursuant to the recommendations of a special industry committee appointed pursuant to section 5 (e)."

52 Stat. 1062.
29 U. S. C., Supp.
V, § 206 (a).

Minimum piece rates for home workers.

(f) Section 6 (a) of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(5) if such employee is a home worker in Puerto Rico or the Virgin Islands, not less than the minimum piece rate prescribed by regulation or order; or, if no such minimum piece rate is in effect, any piece rate adopted by such employer which shall yield, to the proportion or class of employees prescribed by regulation or order, not less than the applicable minimum hourly wage rate. Such minimum piece rates or employer piece rates shall be commensurate with, and shall be paid in lieu of, the minimum hourly wage rate applicable under the provisions of this section. The Administrator, or his authorized representative, shall have power to make such regulations or orders as are necessary or appropriate to carry out any of the provisions of this paragraph, including the power without limiting the generality of the foregoing, to define any operation or occupation which is performed by such home work employees in Puerto Rico or the Virgin Islands; to establish minimum piece rates for any operation or occupation so defined; to prescribe the method and procedure for ascertaining and promulgating minimum piece rates; to prescribe standards for employer piece rates, including the proportion or class of employees who shall receive not less than the minimum hourly wage rate; to define the term 'home worker'; and to prescribe the conditions under which employers, agents, contractors, and subcontractors shall cause goods to be produced by home workers."

Regulations or orders.

INDIAN SERVICE

SEC. 4. (a) In order to continue to provide relief and rural rehabilitation for needy Indians in the United States, there is hereby appropriated to the Bureau of Indian Affairs, Department of the Interior, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, \$1,700,000.

(b) The funds provided in this section shall be available for (1) administration, not to exceed \$80,000; (2) loans; (3) relief; (4) the prosecution of projects approved by the President for the Farm Security Administration for the benefit of Indians under the provisions of the Emergency Relief Appropriation Act of 1938; and (5) subject to the approval of the President for projects involving rural rehabilitation of needy Indians.

Continuation of relief and rural rehabilitation.

Availability of funds.

52 Stat. 809,
15 U. S. C., Supp.
V, ch. 16 (note).

ADMINISTRATIVE AGENCIES

SEC. 5. (a) In order to provide for administrative expenses incidental to carrying out the purposes of this joint resolution, there is hereby appropriated to the following agencies, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941: (1) General Accounting Office, \$5,600,000; (2) Treasury Department: (a) Procurement Division, \$3,400,000; (b) Division of Disbursement, \$1,954,516; (c) Office of the Treasurer, \$490,000; (d) Secret Service Division, \$163,000; (e) Office of Commissioner of Accounts and Deposits and Division of Bookkeeping and Warrants, \$4,628,841, for administrative accounting; total, Treasury Department, \$10,636,357: *Provided*, That no part of the sum herein appropriated shall be used to defray the expenses of transferring or maintaining the performance of any of the functions appropriated for in (a), (b), and (e) of subdivision (2) of this subsection at points other than in the States where any of such functions are now performed; (3) Public Health Service of the Federal Security Agency, \$200,000; and (4) Civil Aeronautics Authority, \$175,000: *Provided*, That if the President shall determine under section 1 (a) that the appropriation made by such section shall be apportioned for a period less than the entire fiscal year, the appropriations made by this section shall be apportioned by the Director of the Bureau of the Budget for a lesser period than the fiscal year but not for less than eight months.

Administrative expenses of designated agencies.

Provisos.
Restriction on use of funds.

Apportionment.

Persons employed upon regular work.

(b) The appropriations in subdivisions (2), (3), and (4) of subsection (a) of this section shall not be used to pay the compensation of persons employed entirely upon the regular work (as distinguished from emergency work under appropriations in this section) of any department or agency, nor to pay the compensation of employees engaged partially upon such regular work unless, in the determination of the head of such department or agency (which determination shall be conclusive), offsetting employment upon such emergency work of such department or agency is performed by employees paid from the regular funds thereof.

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

SEC. 6. (a) In order to carry out the provisions of section 23 hereof, there is hereby made available to the United States Employees' Compensation Commission for the fiscal year ending June 30, 1941, \$3,100,000 of the special funds set up on the books of the Treasury pursuant to the provisions of the Emergency Relief Appropriation Acts of 1935, 1936, 1937, 1938, and 1939: *Provided*, That the amount in this section shall be available for payment of such com-

Funds available.

15 U. S. C., Supp.
V, ch. 16 (note).
Provisos.
Payments.

Apportionment.

and for administrative expenses: *Provided further*, That if the President shall determine under section 1 (a) that the appropriation made by such section shall be apportioned for a period less than the entire fiscal year, the amount made available by this section shall be apportioned by the Director of the Bureau of the Budget for a lesser period than the fiscal year but not for less than eight months.

Medical and hospital services.

(b) The funds made available in this section, together with the balance of funds heretofore appropriated or allocated to such Commission under prior emergency relief appropriation Acts, shall be available for payments to Federal agencies for medical and hospital services supplied by such departments and establishments in accordance with regulations of the Commission for injured persons entitled to benefits under section 23 hereof.

EXECUTIVE OFFICE OF THE PRESIDENT

Office of Government Reports.
Administrative expenses.

SEC. 7. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, for all necessary administrative expenses to enable the Office of Government Reports, Executive Office of the President, to perform the functions of the National Emergency Council, transferred to and consolidated in the Executive Office of the President on July 1, 1939, by Reorganization Plan Numbered II, \$750,000.

53 Stat. 1431.

GENERAL AND SPECIAL PROVISIONS

Apportionment and distribution of funds.

SEC. 8. Funds appropriated in this joint resolution to the various Federal agencies shall be so apportioned and distributed over the period ending June 30, 1941, except where a different apportionment is specifically permitted by this joint resolution, and shall be so administered during such period as to constitute the total amount that will be furnished to such agencies during such period for the purposes herein set forth.

Restriction on use of funds.

SEC. 9. The funds made available by this joint resolution shall be used only for work relief or relief for persons in need except as otherwise specifically provided herein.

Allocation of funds to other Federal agencies.

SEC. 10. (a) The Commissioner is authorized to allocate not to exceed \$40,000,000 to other Federal agencies for the operation, under such rules and regulations as the Commissioner may prescribe, of projects of the type specified in subsection (b) of section 1 which are within the scope of the functions usually carried out by such agencies, including administrative expenses of such agencies incident to such operation: *Provided*, That not to exceed 4 per centum of the total amount so allocated to any such agency shall be used for such administrative expenses: *Provided further*, That no project shall be prosecuted under any allocation under this subsection upon which the percentage of nonrelief persons employed exceeds 10 per centum of the total number of persons employed.

Proviso.
Limitation on administrative expenses.

Employment of non-relief persons restricted.

Allocations sufficient for completion of projects; exception.

(b) No Federal construction project, except flood control and water conservation projects authorized under other law, shall be undertaken or prosecuted under the appropriations in this joint resolution unless and until there shall have been allocated and irrevocably set aside Federal funds sufficient for its completion.

Non-Federal projects, requirement.

(c) No non-Federal project shall be undertaken or prosecuted under appropriations under this joint resolution (except under section 3) unless and until the sponsor has made a written agreement to finance such part of the entire cost thereof as the head of the agency, if the agency administers sponsored projects, determines under the circumstances is an adequate contribution taking into

consideration the financial ability of the sponsor. The head of the agency shall prescribe rules and regulations relating to the valuation of contributions in kind by sponsors of projects through furnishing the use of their own facilities and equipment and the services of their own employees, which shall represent an actual cash value, and such rules and regulations shall also allow credit only to the extent that the furnishing of such contributions represents a financial burden which is undertaken by the sponsors on account of Work Projects Administration projects, or other sponsored projects.

Rules and regulations.

SEC. 11. None of the funds made available by this joint resolution shall be expended on the construction of any building (1) the total estimated cost of which, in the case of a Federal building, exceeds \$100,000, or (2) the portion of the total estimated cost of which payable from Federal funds, in the case of a non-Federal building, exceeds \$100,000, unless the building is one (a) for which the project has been approved by the President on or prior to May 15, 1940, or for which an issue of bonds has been approved at an election held on or prior to such date, or for which a State legislature has made an appropriation on or prior to such date, or (b) for the completion of which funds have been allocated and irrevocably set aside under prior relief appropriation Acts: *Provided*, That the provisions of this section shall not apply to any projects which have been certified by the Secretary of War and the Secretary of the Navy, respectively, as being important for military or naval purposes.

Construction of buildings.
Restriction on use of funds.

Provido.
Projects of military or naval importance.

SEC. 12. (a) The various agencies for which appropriations are made in this joint resolution are authorized to receive from sponsors of non-Federal projects contributions in services, materials, or money, such money to be deposited with the Treasurer of the United States. Such contributions shall be expended or utilized as agreed upon between the sponsor and such agencies.

Contributions from sponsors of non-Federal projects.

(b) All receipts and collections of Federal agencies by reason of operations in consequence of appropriations made in this joint resolution, except cash contributions of sponsors of projects and amounts credited to revolving funds authorized by this joint resolution, shall be covered into the Treasury as miscellaneous receipts.

Disposition of receipts and collections.

(c) Except as authorized in this joint resolution, no allocation of funds shall be made to any other Federal agency from the appropriation in this joint resolution for any Federal agency. No such allocation shall be made for the exercise of the functions of the Radio Division or the United States Film Service transferred to the Office of Education of the Federal Security Agency.

Restriction on allocation of funds.

SEC. 13. Agencies receiving appropriations under this joint resolution are authorized to prescribe such rules and regulations as may be necessary to carry out the purposes for which such appropriations are made.

Rules and regulations.

SEC. 14. (a) The Commissioner shall fix a monthly earning schedule for persons engaged upon work projects financed in whole or in part from funds appropriated by section 1 which shall not substantially affect the current national average labor cost per person of the Work Projects Administration. Such monthly earning schedule shall not be varied for workers of the same type in different geographical areas to any greater extent than may be justified by differences in the cost of living. The Commissioner shall require that the hours of work for all persons engaged upon work projects financed in whole or in part by funds appropriated by section 1 shall (1) be one hundred and thirty hours per month except that the Commissioner, in his discretion, may require a lesser number of hours of work per month in the case of relief workers with no dependents and the earnings of such workers shall be correspondingly reduced,

Monthly earning schedule.

Differentials, restriction.

Hours of work.

and (2) not exceed eight hours in any day and (3) not exceed forty hours in any week.

Exemptions.

(b) The Commissioner may authorize exemptions from the above limitations of monthly earnings and hours of work on projects certified as hereinbefore provided as being important for military or naval purposes; to protect work already done on a project; to permit making up lost time; in the case of an emergency involving the public welfare; and in the case of supervisory personnel employed on work projects.

Preference in employment.

SEC. 15. (a) In employing or retaining in employment on Work Projects Administration work projects, preference shall be determined, as far as practicable, on the basis of relative needs and shall, where the relative needs are found to be the same, be given in the following order: (1) Veterans of the World War and the Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration except that discharged draft enrollees other than those with service-connected disability shall not be considered as veterans for the purposes of this subsection) and unmarried widows of such veterans and the wives of such veterans as are unemployable who are in need and are American citizens; and (2) other American citizens, Indians, and other persons owing allegiance to the United States who are in need.

Removal after 18 months; exceptions.

(b) There shall be removed from employment on Work Projects Administration projects all relief workers, excepting veterans, unmarried widows of such veterans and wives of such veterans as are unemployable, who have been continuously employed on such projects for more than eighteen months, and any relief worker so removed shall be

Restoration.

(a) the expiration of thirty days after the date of his removal, and (b) recertification of his eligibility for restoration to employment on such projects.

Qualifications for employment.

(c) In considering employment of persons upon work projects prosecuted under the appropriations contained in this joint resolution, the agency providing the employment shall determine whether such persons are able to perform the work on work projects to which they can be assigned and no person shall be employed or retained for employment on any such project whose work habits are such or work record shows that he is incapable of performing satisfactorily the work to which he may be assigned on the project.

Removal or nonemployment of uncertified relief workers.

(d) There shall be removed from employment on Work Projects Administration projects all relief workers whose needs for employment have not been certified by, and, except as provided in section 16 (b), no relief worker shall be employed on such projects until after his need for employment has been certified by (a) a local public certifying agency or (b) the Work Projects Administration where no such agency exists or where the Work Projects Administration certifies by reason of its refusal to accept certification by local public agencies.

Employment of blind persons.

(e) No blind person receiving aid under the Social Security Act, as amended, shall be prohibited from temporarily relinquishing such aid to accept employment on a Work Projects Administration project.

Restriction on employment of aliens, Communists, or Nazi Bund Organization members.

(f) No alien, no Communist, and no member of any Nazi Bund Organization shall be given employment or continued in employment on any work project prosecuted under the appropriations contained in this joint resolution and no part of the money appropriated in this joint resolution shall be available to pay any person who has not made or who does not make affidavit as to United States citizenship and to the effect that he is not a Communist and not a member of any Nazi Bund Organization, such affidavit to be considered

prima facie evidence of such citizenship, and that he is not a Communist, and not a member of any Nazi Bund Organization.

(g) The Commissioner shall cause a periodic investigation to be made of the rolls of relief employees on work projects, and shall eliminate from the rolls those not in actual need, such investigation to be made so that each case is investigated at least once in every twelve months.

Periodic investigations of relief rolls; eliminations.

SEC. 16. (a) No person in need who refuses a bona fide offer of private or other public employment under reasonable working conditions which pays the prevailing wage for such work in the community where he resides and who is capable of performing such work shall be employed or retained in employment on work projects under the funds appropriated in this joint resolution for the period such private or other public employment would be available.

Refusal of private, etc., employment offer.

(b) Any person who takes such employment shall at the expiration thereof be entitled to immediate resumption of his previous employment status with the Work Projects Administration if he is still in need and if he has lost such employment through no fault of his own, and if he has first drawn all the benefits of unemployment compensation that shall have accrued to him during his term in private employment and which are available to him.

Restoration of employment status with W. P. A.

SEC. 17. (a) No person shall be employed or retained in employment in any administrative position, or in any supervisory position on any project, under the appropriations in this joint resolution unless such person has previously subscribed or before engaging in such employment subscribes to the following oath:

Oath of office.

"I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office (or employment) on which I am about to enter (or which I now occupy). So help me God."

(b) No portion of the appropriation made under this joint resolution shall be used to pay any compensation to any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States.

Persons advocating overthrow of U. S. Government.

(c) The Commissioner and the head of any other agency receiving an appropriation hereunder is authorized to designate employees, administrative and supervisory, as he may deem necessary to administer such oaths as are required by this joint resolution and such other oaths as may be required or necessary in the operation of the Work Projects Administration or other agency, which oaths shall be administered without charge or fee; such oaths shall have the same force and effect as oaths administered by notaries, justices of the peace, and other Federal and non-Federal officers qualified to administer oaths.

Designation of employees to administer oaths.

SEC. 18. In carrying out the purpose of the appropriations in this joint resolution, the Secretary of the Treasury with the approval of the Director of the Bureau of the Budget, is authorized to prescribe rules and regulations for the establishment of special funds for any agency receiving an appropriation under this joint resolution, in the nature of revolving funds for use, until June 30, 1941, in the purchase, repair, distribution, or rental of materials, supplies, equipment, and tools.

Establishment of special funds for purchase of supplies, etc.

SEC. 19. The provision of section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase made or service procured in connection with the appropriations in this joint resolution when the aggregate amount involved is less than \$300.

Minor purchases.

Administrative expenses.

SEC. 20. The appropriations in this joint resolution for administrative expenses and such portions of other appropriations in this joint resolution as are available for administrative expenses may be obligated in the amounts which the agency, with the approval of the Director of the Bureau of the Budget, shall have certified to the Secretary of the Treasury as necessary for personal services, in the District of Columbia and elsewhere, and for contract stenographic reporting services, supplies and equipment; purchase and exchange of lawbooks, books of reference, directories, and periodicals, newspapers and press clippings; travel expenses, including expenses of attendance at meetings of officials and employees of the agency on official business; rental at the seat of government and elsewhere; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding and such other expenses as may be necessary for the accomplishment of the objectives of this joint resolution.

Nonapplication of Executive Order No. 7916.

SEC. 21. (a) The provisions of Executive Order Numbered 7916, dated June 24, 1938, shall not apply to positions the compensation of which is payable from appropriations contained in this joint resolution, and such appropriations shall not be available for the compensation of the incumbent of any position placed in the competitive classified civil service of the United States after January 10, 1939.

Acceptance of uncompensated services.

(b) In carrying out the purposes of this joint resolution the agencies receiving appropriations herein or allocations under such appropriations are authorized to accept and utilize such voluntary and uncompensated services, appoint, without regard to civil-service laws, such officers and employees, and utilize, with the consent of the head of the Federal agency by which they are employed, such Federal officers and employees, and with the consent of the State such State and local officers and employees at such compensation as shall be determined by the head of the agency involved, as may be necessary, and prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed.

Appointments.

Utilization of Federal, State, and local employees.

(c) Appointments to Federal positions of an administrative or advisory capacity under the appropriations in this joint resolution in any State shall be made from among the bona fide citizens of that State so far as not inconsistent with efficient administration.

42 Stat. 1488.
5 U. S. C. §§ 661-674; Supp. V, §§ 673, 673c.

Appointments to Federal administrative, etc., positions in States.

Separations and furloughs.

SEC. 22. In making separations from the Federal service, or furloughs without pay to last as long as three months, of persons employed within the District of Columbia, under the provisions of this joint resolution, the appointing power shall give preference, as nearly as good administration will warrant, in retention to appointees from States that have not received their share of appointments according to population: *Provided, however,* That soldiers, sailors, and marines, the widows of such, or the wives of injured soldiers, sailors, and marines, who themselves are not qualified, but whose wives are qualified to hold a position in the Government service, shall be given preference in retention, in their several grades and classes, where their ratings are good or better.

Proviso.
Preferential status of soldiers, etc.

Disability or death compensation, etc.
5 U. S. C. § 796.

Employees excepted.

SEC. 23. The provisions of the Act of February 15, 1934 (48 Stat. 351), as amended, relating to disability or death compensation and benefits shall apply to persons (except administrative employees qualifying as civil employees of the United States) receiving compensation from the appropriations in this joint resolution for services rendered as employees of the United States: *Provided,* That this section shall not apply in any case coming within the purview of the workmen's compensation law of any State, Territory, or possession,

Proviso.
Nonapplication of section in designated cases.

or in which the claimant has received or is entitled to receive similar benefits for injury or death.

SEC. 24. None of the funds made available by this joint resolution shall be used (a) for the operation of any theater project, (b) for the operation of any project sponsored solely by the Work Projects Administration, or (c) for radio broadcasting in an amount exceeding \$100,000 or for the acquisition, rental, or distribution of motion-picture films.

Restriction on use of funds.

SEC. 25. The Commissioner is authorized to consider, ascertain, adjust, determine, and pay from the appropriation in section 1 hereof any claim on account of damage to or loss of privately owned property caused by the negligence of any employee of the Works Progress Administration or the Work Projects Administration while acting within the scope of his employment. No claim shall be considered hereunder which is in excess of \$500, or which is not presented in writing within one year from the date of accrual thereof. Acceptance by a claimant of the amount allowed on account of his claim shall be deemed to be in full settlement thereof, and the action upon such claim so accepted by the claimant shall be conclusive.

Settlement of private damage claims.

Limitation.

Acceptance.

SEC. 26. The Commissioner is authorized to call to the attention of the city, county, and State governments the unemployment situation of that city, county, or State, and to seek the cooperation of the State or any subdivision thereof in meeting the unemployment problem.

State, etc., cooperation in meeting unemployment problem.

SEC. 27. Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any work project, employment, or relief aid under the appropriations in this joint resolution, or diverts, or attempts to divert or assists in diverting, for the benefit of any person or persons not entitled thereto, any portion of such appropriations, or any services or real or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, or discrimination on account of race, religion, political affiliations (except as provided in section 15 (f)), or membership in a labor organization, deprives any person of any of the benefits to which he may be entitled under any such appropriations, or attempts so to do, or assists in so doing, or who disposes of, or assists in disposing of, except for the account of the United States, any property upon which there exists a lien securing a loan made under the provisions of this joint resolution or the Emergency Relief Appropriation Acts of 1935, 1936, 1937, 1938, and 1939, shall be deemed guilty of a felony and fined not more than \$2,000 or imprisoned not more than two years, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

False statements with intent to defraud, etc.

Race, etc., discrimination.

15 U. S. C., Supp. V, ch. 16 (note).
Penalty.

SEC. 28. (a) It shall be unlawful for any person knowingly to solicit, or knowingly be in any manner concerned in soliciting, any assessment, subscription, or contribution for the campaign expenses of any individual or political party from any person receiving compensation or employment provided for by this joint resolution.

Solicitation of contributions for campaign expenses.

(b) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

Penalty.

SEC. 29. (a) It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation, or other benefit, provided for or made possible by this joint resolution, or any other Act of the Congress, to any person as consideration,

Promise of benefit as reward for political activity, etc.

favor, or reward for any political activity or for the support of or opposition to any candidate in any election or any political party.

Depriving persons of employment on account of race, etc.

(b) Except as may be required by the provisions of section 15 (f) and section 30 hereof, it shall be unlawful for any person to deprive, attempt to deprive, or threaten to deprive, by any means, any person of any employment, position, work, compensation, or other benefit, provided for or made possible by this joint resolution, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

Penalty.

(c) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of law, or of this joint resolution.

Use of administrative authority to interfere with an election, etc.

SEC. 30. (a) It shall be unlawful for any person employed in any administrative or supervisory capacity by any agency of the Federal Government, whose compensation or any part thereof is paid from funds authorized or appropriated by this joint resolution, to use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. While such persons shall retain the right to vote as they please and to express privately their opinions on all political subjects, they shall take no active part, directly or indirectly, in political management or in political campaigns or in political conventions.

Active participation in political campaigns, etc.

Penalty.

(b) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by this joint resolution shall be used to pay the compensation of such person. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

Candidate for State, etc., office; campaign manager.

SEC. 31. No part of any appropriation in this joint resolution shall be used to pay the salary or expenses of any person in a supervisory or administrative position who is a candidate for any State, district, county, or municipal office (such office requiring full time of such person and to which office a salary or per diem attaches), in any primary, general or special election, or who is serving as a campaign manager or assistant thereto for any such candidate.

Reports of operations to Congress.

SEC. 32. Reports of the operations under the appropriations in this joint resolution and the appropriations in the Emergency Relief Appropriation Act of 1939, including a statement of the expenditures made and obligations incurred by classes of projects and amounts, shall be submitted to Congress by the President on or before the 31st of January in each of the next two regular sessions of Congress: *Provided*, That such reports shall be in lieu of the reports required by section 33 of such Act.

53 Stat. 927.
15 U. S. C., Supp.
V, ch. 16.

Proviso.
Reports to be in lieu, etc.

Competition with existing industries, restriction.

SEC. 33. No funds appropriated in this joint resolution, whether administered by the Federal Government or by the States or local governmental agencies from funds contributed in whole or in part by the Federal Government, shall be used by any Federal, State, or other agency to purchase, establish, relocate, or expand mills, factories, stores, or plants which would manufacture, handle, process, or produce for sale articles, commodities, or products (other than those derived from the first processing of sweetpotatoes and naval stores products) in competition with existing industries.

Restriction on use of funds for naval or military purposes.

SEC. 34. None of the funds appropriated by this joint resolution shall be used for the manufacture, purchase, or construction of any naval vessel, any armament, munitions, or implement of war, for military or naval forces, and no funds herein appropriated or author-

ized shall be diverted or allocated to any other department or bureau for such purpose.

SEC. 35. No part of the funds made available in this joint resolution shall be loaned or granted, except pursuant to an obligation incurred prior to the date of the enactment of this joint resolution, to any State, or any of its political subdivisions or agencies, for the purpose of carrying out or assisting in carrying out any program or project of constructing, rebuilding, repairing, or replanning its penal or reformatory institutions, unless the President shall find that the projects to be financed with such loan or grant will not cause or promote competition of the products of convict labor with the products of free labor.

Restriction on construction, etc., of penal institutions.

Exception.

Salary restriction.

SEC. 36. In expending appropriations or portions of appropriations, contained in this joint resolution, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any appropriation unit herein shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated, the salary of such position shall not exceed the average of the compensation rates for the grade: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

42 Stat. 1458.
5 U. S. C. §§ 661-674; Supp. V, §§ 673, 673c.

Proviso.
Restriction not applicable in designated cases.

42 Stat. 1490.
5 U. S. C. § 666.

SEC. 37. Any Administrator or other officer named to have general supervision at the seat of government over the program and work contemplated under the appropriations contained in this joint resolution and receiving a salary of \$5,000 or more per annum from such appropriations, and any State or regional administrator receiving a salary of \$5,000 or more per annum from such appropriations (except persons now serving as such under other law) shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the provisions of section 1761 of the Revised Statutes shall not apply to any such appointee and the salary of any person so appointed shall not be increased for a period of six months after confirmation.

Appointment of designated administrators; requirements.

Proviso.
Recess appointees; salary status.
5 U. S. C. § 66.

SEC. 38. Notwithstanding the provisions of any other law, the President is authorized, in his discretion, and under such regulations as he may prescribe, to provide within the Civilian Conservation Corps such training of enrollees therein in noncombatant subjects essential to the operations of the military and naval establishments as he considers may contribute materially to the interests of the national defense. Such subjects may include, but are not restricted to, cooking, baking, first aid to the injured, operation and maintenance of motor vehicles, road and bridge construction and maintenance, photography, signal communications, and other matters incident to the successful conduct of military and naval activities: *Provided*, That the appropriations under the heading "Civilian Conservation Corps" contained in the Federal Security Agency Appropriation Act, 1941, shall be available for carrying out the purposes of this

Civilian Conservation Corps.
Training of enrollees in noncombatant subjects.

Provisos.
Availability of funds.
Ante, p. 581.

No exclusion be-
cause of race, etc.

Tennessee Valley
Authority Act of 1933,
amendment.
48 Stat. 66.
16 U. S. C. § 831.
Payments to certain
States and counties
therein.

"Gross proceeds"
defined.

Payments in lieu of
taxation.

Apportionment of
payment among
States.

Proviso.
Minimum annual
payments to each
State.

Minimum to be not
less than \$10,000.

Payments to coun-
ties; deduction from
payment otherwise
due State.

section, and the limitations and conditions on the expenditure of such funds are hereby waived to the extent necessary to accomplish the purposes of this section: *Provided further*, That no person shall be excluded from the training program authorized by this section on account of race, color, or creed.

SEC. 39. Section 13 of the Tennessee Valley Authority Act of 1933 is hereby amended to read as follows:

"SEC. 13. In order to render financial assistance to those States and local governments in which the power operations of the Corporation are carried on and in which the Corporation has acquired properties previously subject to State and local taxation, the board is authorized and directed to pay to said States, and the counties therein, for each fiscal year, beginning July 1, 1940, the following percentages of the gross proceeds derived from the sale of power by the Corporation for the preceding fiscal year as hereinafter provided, together with such additional amounts as may be payable pursuant to the provisions hereinafter set forth, said payments to constitute a charge against the power operations of the Corporation: For the fiscal year (beginning July 1) 1940, 10 per centum; 1941, 9 per centum; 1942, 8 per centum; 1943, 7½ per centum; 1944, 7 per centum; 1945, 6½ per centum; 1946, 6 per centum; 1947, 5½ per centum; 1948 and each fiscal year thereafter, 5 per centum. 'Gross proceeds', as used in this section, is defined as the total gross proceeds derived by the Corporation from the sale of power for the preceding fiscal year, excluding power used by the Corporation or sold or delivered to any other department or agency of the Government of the United States for any purpose other than the resale thereof. The payments herein authorized are in lieu of taxation, and the Corporation, its property, franchises and income, are hereby expressly exempted from taxation in any manner or form by any State, county, municipality, or any subdivision or district thereof.

"The payment for each fiscal year shall be apportioned among said States in the following manner: One-half of said payment shall be apportioned by paying to each State the percentage thereof which the gross proceeds of the power sales by the Corporation within said State during the preceding fiscal year bears to the total gross proceeds from all power sales by the Corporation during the preceding fiscal year; the remaining one-half of said payment shall be apportioned by paying to each State the percentage thereof which the book value of the power property held by the Corporation within said State at the end of the preceding fiscal year bears to the total book value of all such property held by the Corporation on the same date. The book value of power property shall include that portion of the investment allocated or estimated to be allocable to power: *Provided*, That the minimum annual payment to each State (including payments to counties therein) shall not be less than an amount equal to the two-year average of the State and local ad valorem property taxes levied against power property purchased and operated by the Corporation in said State and against that portion of reservoir lands related to dams constructed by or on behalf of the United States Government and held or operated by the Corporation and allocated or estimated to be allocable to power. The said two-year average shall be calculated for the last two tax years during which said property was privately owned and operated or said land was privately owned: *Provided further*, That the minimum annual payment to each State in which the Corporation owns and operates power property (including payments to counties therein) shall not be less than \$10,000 in any case: *Provided further*, That the corporation shall pay directly to the respective counties the two-year average of county ad valorem property taxes (including taxes levied by

taxing districts within the respective counties) upon power property and reservoir lands allocable to power, determined as above provided, and all payments to any such county within a State shall be deducted from the payment otherwise due to such State under the provisions of this section. The determination of the board of the amounts due hereunder to the respective States and counties shall be final.

"The payments above provided shall in each case be made to the State or county in equal monthly installments beginning not later than July 31, 1940.

"Nothing herein shall be construed to limit the authority of the Corporation in its contracts for the sale of power to municipalities, to permit or provide for the resale of power at rates which may include an amount to cover tax-equivalent payments to the municipality in lieu of State, county, and municipal taxes upon any distribution system or property owned by the municipality, or any agency thereof, conditioned upon a proper distribution by the municipality of any amounts collected by it in lieu of State or county taxes upon any such distribution system or property; it being the intention of Congress that either the municipality or the State in which the municipality is situated shall provide for the proper distribution to the State and county of any portion of tax equivalent so collected by the municipality in lieu of State or county taxes upon any such distribution system or property.

"The Corporation shall, not later than January 1, 1945, submit to the Congress a report on the operation of the provisions of this section, including a statement of the distribution to the various States and counties hereunder; the effect of the operation of the provisions of this section on State and local finances; an appraisal of the benefits of the program of the Corporation to the States and counties receiving payments hereunder, and the effect of such benefits in increasing taxable values within such States and counties; and such other data, information, and recommendations as may be pertinent to future legislation."

SEC. 40. (a) The President is hereby authorized through such agency or agencies as he may designate to purchase exclusively in the United States and to transport, and to distribute as hereinafter provided, agricultural, medical, and other supplies for the relief of refugee men, women, and children, who have been driven from their homes or otherwise rendered destitute by hostilities or invasion. When so purchased, such materials and supplies are hereby authorized to be distributed by the President through the American Red Cross or such governmental or other agencies as he may designate.

(b) There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000,000, to be available until June 30, 1941, for carrying out the purposes of this section, including the cost of such purchases, the transportation to point of distribution, and distribution, administrative and other costs, but not including any administrative expense incurred by any non-governmental agency.

(c) Any governmental agency so designated to aid in the purchase, transportation or distribution of any such materials and supplies may expend any sums allocated to it for such designated purposes without regard to the provisions of any other Act.

(d) On or before June 30, 1941, the President shall submit to the Congress an itemized and detailed report of the expenditures and activities made and conducted under the authority contained in this section.

SEC. 41. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year 1941, the sum of \$50,000,000, to be used by the Secretary of Agriculture for

Payments in equal monthly installments.

Contracts with municipalities for sale of power.
Resale of power; rates.

Intention of Congress.

Report to Congress.

Purchase of agricultural, etc., supplies for relief of refugees.

Distribution.

Appropriation.

Expenditures.

Report to Congress.

Additional appropriation to encourage exportation and domestic consumption of agricultural products.

the purpose of effectuating the provisions of section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, as amended, such sum to be in addition to any funds appropriated by such section 32 and to be subject to all the provisions of law relating to the expenditure of such funds.

Approved, June 26, 1940.

[CHAPTER 437]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1940, and June 30, 1941, 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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1940, and June 30, 1941, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

Ernest W. Gibson.
Payment to daughter.
Pages.

For payment to Doris Gibson, daughter of Ernest W. Gibson, late a Senator from the State of Vermont, \$10,000.

For the payment of twenty-one pages for the Senate at \$4 per day each, for the period commencing July 1, 1940, and ending with the last day of the month in which the Seventy-sixth Congress adjourns sine die at the third session thereof, so much as may be necessary.

Inquiries and investigations.
Ante, p. 465.

The unobligated balance of the appropriation for expenses of inquiries and investigations ordered by the Senate, contingent fund of the Senate, for the fiscal year 1940, is reappropriated and made available for the fiscal year 1941.

Folding pamphlets, etc.

The unobligated balance of the appropriation for folding speeches and pamphlets at a rate not exceeding \$1 per thousand, contingent fund of the Senate, for the fiscal year 1939, is reappropriated and made available for the fiscal year 1940.

HOUSE OF REPRESENTATIVES

Clyde H. Smith.
Payment to widow.
Pages.

For payment to the widow of Clyde H. Smith, late a Representative from the State of Maine, \$10,000, to be disbursed by the Sergeant at Arms of the House.

For the payment of forty-seven pages for the House of Representatives, at \$4 per day each, for the period commencing July 1, 1940, and ending with the last day of the month in which the Seventy-sixth Congress adjourns sine die at the third session thereof, so much as may be necessary.

Contingent expenses.
53 Stat. 830.
Expenses of special and select committees.
Ante, p. 470.

Contingent expenses: For telegraph and telephone service, exclusive of personal services, fiscal year 1940, \$40,000.

For expenses of special and select committees authorized by the House, fiscal year 1940, \$75,000, to remain available for the fiscal year 1941.

49 Stat. 774.
7 U. S. C., Supp. V,
§ 612c.

June 27, 1940
[H. R. 10104]
[Public, No. 668]

Second Deficiency
Appropriation Act,
1940.