

[CHAPTER 931]

AN ACT

December 16, 1940

[S. 4370]

[Public, No. 891]

Authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties.

Department of War.
Under Secretary, ap-
pointment, duties, etc.

Compensation.

Assistant Secretary,
succession to duties of
Secretary.

National Defense
Act, amendment.
10 U. S. C. §§ 1193-
1195.

Secretary of War.
Supervision of procure-
ment of military
supplies, etc.

Assignment of
duties.

Details.

Procurement re-
ports.

Government manu-
facture of War De-
partment supplies, etc.

Availability of des-
ignated appropri-
ations.

Termination of Act;
condition.

Compensation of As-
sistant Secretary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the President of the United States is hereby authorized, in his discretion, to appoint from civil life, by and with the advice and consent of the Senate, an Under Secretary in the Department of War. The Under Secretary of War shall perform such duties as may be prescribed by the Secretary of War or required by law and shall be next in succession to the Secretary of War during his absence or disability or in the event of a temporary vacancy in that office. In prescribing the duties to be performed by the Under Secretary of War, the Secretary of War may prescribe any of the duties now prescribed by law to be performed by The Assistant Secretary of War. The compensation of the Under Secretary of War shall be at the rate of \$10,000 per annum. The Assistant Secretary of War, next after the Under Secretary of War, shall hereafter succeed to the duties of the Secretary of War during his absence or disability, or in the event of a temporary vacancy in that office.

SEC. 2. That the first two paragraphs of section 5a of the National Defense Act, as amended by the Act of June 4, 1920 (41 Stat. L. 764), be, and the same are hereby, amended to read as follows:

"SEC. 5a. Hereafter the Secretary of War, in addition to other duties imposed upon him by law, shall be charged with the supervision of the procurement of all military supplies and other business of the War Department pertaining thereto and the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs, and he may assign to the Under Secretary of War and The Assistant Secretary of War such duties in connection therewith as he may deem proper. There shall be detailed to the Offices of the Secretary of War, the Under Secretary of War, and The Assistant Secretary of War from the branches engaged in procurement such numbers of officers and civilian employees as may be authorized by regulations approved by the Secretary of War.

"Chiefs of branches of the Army shall report regarding all matters of procurement direct to the Secretary of War, the Under Secretary of War, or The Assistant Secretary of War, as the Secretary of War shall have prescribed. The Secretary of War shall cause to be manufactured or produced at the Government arsenals or Government-owned factories of the United States all such supplies or articles needed by the War Department as said arsenals or factories are capable of manufacturing or producing upon an economical basis. All appropriations for manufacture of matériel pertaining to approved projects which are placed with arsenals, Government-owned factories, or other ordnance establishments shall remain available for such purpose until the close of the next ensuing fiscal year."

The provisions of this Act shall cease to have effect on January 20, 1945, unless continued in force by an Act of Congress. The compensation of the Assistant Secretary of War shall be at the rate of \$10,000 per annum.

Approved, December 16, 1940.