

6th Supp. Defense Act 1942 p 12 ✓

[PUBLIC LAW 528—77TH CONGRESS]

[CHAPTER 247—2D SESSION]

[H. R. 6868]

AN ACT

Making additional appropriations for the national defense for the fiscal year ending June 30, 1942, 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, for the national defense for the fiscal year ending June 30, 1942, and for other purposes, namely:

TITLE I—WAR DEPARTMENT

For additional amounts for appropriations for the Military Establishment, fiscal year 1942, which, together with the unexpended balances remaining under all appropriations for the Military Establishment for the fiscal years 1940 and 1941, shall be supplemental to, merged with, and become a part of, the appropriations under the respective heads in the Military Appropriation Act, 1942, as amended by Acts supplemental thereto, including the objects and subject to the limitations and conditions specified under said heads, respectively, in those Acts, except as otherwise provided herein; and such appropriations heretofore and herein made shall remain available until June 30, 1943, for the purposes of such appropriations and for carrying out the provisions of Executive Order Numbered 9112 of March 26, 1942, including obligations chargeable against appropriations for the Military Establishment for the respective purposes of said appropriations for the fiscal years 1940 and 1941, as follows:

MILITARY ACTIVITIES

CONTINGENCIES OF THE ARMY

For contingencies of the Army, including necessary personal services and the purchase of lawbooks, professional books of reference and subscriptions to newspapers and periodicals, and such other expenses as may be necessary, and payments from this appropriation may, in the discretion of the Secretary of War, be made on his certificate that the expenditures were necessary for confidential military purposes, \$1,578,180.

FINANCE DEPARTMENT

FINANCE SERVICE, ARMY

Pay of the Army: For pay of the Army of the United States, including the pay of members of the Army Specialist Corps appointed subject to the approval of the War Department Personnel

Board, \$327,331,562: *Provided*, That members of such corps who are assigned to the supply services of the Army may be paid from the appropriations for the work upon which they are engaged: *Provided further*, That no part of this appropriation shall be available to pay the salary of any member of such corps at a rate in excess of \$4,500 per annum unless such member is appointed by the President, by and with the advice and consent of the Senate.

Travel of the Army: For travel of the Army, including authorized transportation of persons discharged for fraudulent enlistment, and including rental of camp sites and the local procurement of communication service, fuel and water, and other necessary supplies and services incident to troop movements, \$92,200,000: *Provided*, That from the date of the approval of this Act to June 30, 1943, the Secretary of War, in prescribing per diem rates of allowance, not exceeding \$6, in lieu of subsistence, for officers and warrant officers of the Army of the United States traveling on official business and away from their designated posts of duty, pursuant to the first paragraph of section 12 of the Act approved June 10, 1922 (42 Stat. 631), as amended, is hereby authorized to prescribe such per diem rates of allowance, whether or not orders are given to such officers for travel to be performed repeatedly between two or more places in the same vicinity, and without regard to the length of time away from their designated posts of duty under such orders: *Provided further*, That until June 30, 1943, the dependents and household effects of such military and civilian personnel in and under the Military Establishment on duty at stations outside the continental limits of the United States or in Alaska, as may be determined upon by the Secretary of War, may, prior to the issuance of orders for the relief of such personnel from their stations, be moved (including packing and unpacking of household effects) to such locations as may be selected by the Secretary of War, by the use of either Government or commercial means of transportation, and later from such locations to the duty stations to which such personnel may be ordered, and current appropriations of the Military Establishment available for travel and transportation may be used for this purpose, the decision of the Secretary of War to be final as to the dependency of any individual sought to be affected by this provision except as to travel hereafter performed subsequent to arrival in the United States; and movements of this character heretofore effected and payments made or to be made therefor are validated.

Apprehension of deserters: Funds appropriated under this title may be used to pay donations of not to exceed \$10 each to persons discharged for fraudulent enlistment as authorized by law.

Finance Service: For Finance Service, \$2,165,000.

In all, \$421,696,562: *Provided*, That all funds heretofore and herein appropriated for the fiscal year 1942, under the titles "Pay of the Army", "Travel of the Army", "Expenses of courts martial", "Apprehension of deserters, and so forth", "Finance Service", "Claims for damages to and loss of private property", and "Claims of officers, enlisted men, and nurses of the Army for destruction of private property" shall be disbursed and accounted for as one fund under the appropriation title "Finance Service, Army".

QUARTERMASTER CORPS

QUARTERMASTER SERVICE, ARMY

Subsistence of the Army: For subsistence of the Army, \$323,006,000.

Regular supplies of the Army: For regular supplies of the Army, including warehouse and fuel-handling equipment, \$80,481,000.

Clothing and equipage: For clothing and equipage, \$62,804,277.

Incidental expenses of the Army: For incidental expenses of the Army, including supplies, services, and other expenses essential in conducting instruction of the Army in tank-destroyer activities, \$83,807,000.

Army transportation: For Army transportation, \$777,912,000, which shall be available for the direct charter of vessels in emergency situations.

Welfare of enlisted men: For welfare of enlisted men, \$5,715,000.
In all, \$1,333,725,277.

SIGNAL CORPS

SIGNAL SERVICE OF THE ARMY

For Signal Service of the Army, \$748,149,000.

AIR CORPS

AIR CORPS, ARMY

For Air Corps, Army, \$8,515,861,251.

MEDICAL DEPARTMENT

ARMY

MEDICAL AND HOSPITAL DEPARTMENT

For Medical and Hospital Department, Army, including hospital care of Canal Zone garrisons, and for necessary medical care and treatment in private hospitals of military personnel whether on duty or on furlough or leave of absence except when elective medical treatment has been obtained by military personnel in civilian hospitals or from civilian physicians or dentists, \$151,240,000.

CORPS OF ENGINEERS

ENGINEER SERVICE, ARMY

Engineer Service, Army: For Engineer Service, Army, \$31,510,000.

Military construction, defense installations: For military construction, defense installations, \$866,165,600.

Military posts: For construction of buildings, utilities, and appurtenances at military posts, \$4,358,118,283.

Barracks and quarters: For barracks and quarters, \$49,595,000.

Construction and repair of hospitals: For construction and repair of hospitals, \$775,000.

In all, \$5,306,163,883.

ORDNANCE DEPARTMENT

ORDNANCE SERVICE AND SUPPLIES, ARMY

For ordnance service and supplies, Army, \$543,721,283.

REPAIRS OF ARSENALS

For repairs of arsenals, Army, \$4,500,000.

In all, \$548,221,283.

CHEMICAL WARFARE SERVICE

For Chemical Warfare Service, Army, \$367,366,311.

SPECIAL SERVICE SCHOOLS

Infantry School: For Infantry School, Fort Benning, Georgia, \$97,389.

Cavalry activities: For instruction in Cavalry activities, \$3,200.

Field Artillery activities: For instruction in Field Artillery activities, \$63,786.

Coast Artillery activities: For instruction in Coast Artillery activities, including antiaircraft and barrage balloon activities, \$1,625.

In all, \$166,000: *Provided*, That all funds heretofore and herein appropriated for the fiscal year 1942 under the titles "Infantry School, Fort Benning, Georgia", "Instruction in Cavalry activities", "Instruction in Field Artillery activities", and "Coast Artillery School, Fort Monroe, Virginia", shall be disbursed and accounted for as one fund under the title "Special service schools".

ARMORED FORCE

INSTRUCTION IN ARMORED FORCE ACTIVITIES

For instruction in Armored Force activities, \$152,016.

UNITED STATES MILITARY ACADEMY

MAINTENANCE AND OPERATION, UNITED STATES MILITARY ACADEMY

Maintenance and operation, United States Military Academy, \$357,580.

GENERAL PROVISIONS

SEC. 101. Limitations on appropriations heretofore and herein enacted and available for obligation during the fiscal years 1942 and 1943, which prohibit the payment of persons who are not citizens of the United States, shall not apply to military personnel.

SEC. 102. Under appropriations available to the Military Establishment, the Secretary of War is authorized to effect appointments

of employees in the United States, or to effect the transfer of employees in the Federal service in the United States, for duty at any point outside the continental limits of the United States or in Alaska at which it may be found necessary to assign such civilian employees, and to pay the costs of transportation of such employees from place of engagement in the United States, or from present post of duty in the United States, in the case of those employees already in the service of the United States, to the post of duty outside the United States or in Alaska, and return upon completion of assignment or after such period of service as may be prescribed by the head of the Department; to provide for the shipment of personal effects of persons so appointed or transferred from place of engagement or from present post of duty in the United States to the post of duty outside the continental United States or in Alaska.

SEC. 103. Whenever the President deems it to be in the interest of national defense, he may authorize the Secretary of War to sell, transfer title to, exchange, lease, lend, or otherwise dispose of, to the government of any country whose defense the President deems vital to the defense of the United States, any defense articles procured from funds appropriated in this title, in accordance with the provisions of the Act of March 11, 1941 (Public Law 11): *Provided*, That the total value of articles disposed of under this authority shall not exceed \$2,220,000,000: *Provided further*, That the term "defense article" as used herein shall be deemed to include defense information and services, and the expenses in connection with the procurement or supplying of defense articles, information, and services.

SEC. 104. This title may be cited as "Title VI, Military Appropriation Act, 1942".

TITLE II—NAVY DEPARTMENT

For additional amounts for appropriations for the Navy Department and the naval service, fiscal year 1942, to be supplemental and additional to the appropriations and funds in the Naval Appropriation Act for the fiscal year 1942, including the objects and subject to the limitations and conditions specified under the respective headings and subject to the provisions under the heading "General Provisions" contained in said Act, except as otherwise provided herein, as follows:

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

The provisions under this heading in the Naval Appropriation Act, 1942, as amended, and in the Naval Appropriation Act, 1943, limiting the number of civilian officers and employees who may be employed in the Navy Department proper, at Washington, are hereby amended, respectively, by increasing such number to twenty thousand, and the Secretary of the Navy is authorized to employ one additional employee at a per annum salary rate in excess of \$5,000, but not in excess of the appropriate rate established in accordance with the Classification Act of 1923, as amended: *Provided*, That section 304

of the Second Deficiency Appropriation Act, 1941, shall not apply to citizens of the Commonwealth of the Philippines from and including the date of approval of such Act, and the Secretary of the Navy is authorized to make payments for services rendered by such citizens during the fiscal year 1942 out of the applicable appropriations.

CONTINGENT, NAVY

Contingent, Navy, \$130,000.

NAVAL PRISON FARMS AND PRISON PERSONNEL

Naval Prison Farms and Prison Personnel, without regard to the existing expenditure limitation, \$8,000.

BUREAU OF NAVIGATION

TRAINING, EDUCATION, AND WELFARE, NAVY

Funds appropriated under the heading "Welfare and recreation" shall be available for the hire and use of buildings, grounds, services, facilities, and subsistence for rehabilitation and recuperation of naval personnel returned from war service at sea or on shore beyond the continental limits of the United States, including Alaska, the Canal Zone, and insular possessions.

BUREAU OF SHIPS

MAINTENANCE, BUREAU OF SHIPS

Maintenance, Bureau of Ships: The appropriations under this head for the fiscal years 1942 and 1943 shall be available for repairs, conversions, and restorations on nonnaval vessels operated for naval requirements; and for the accomplishment of the purposes authorized by Public Law 280, approved October 24, 1941, amended by Public Law 446, approved February 10, 1942.

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, NAVY

Ordnance and ordnance stores, Navy, \$183,692,000.

BUREAU OF SUPPLIES AND ACCOUNTS

PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

The number of officers above the rank of captain, who may receive flight pay during the fiscal year 1942, is increased from nine to twenty-three: *Provided*, That flight orders and the right to flight pay as to those officers above the rank of captain not now entitled to flight pay shall be subject to the conditions prescribed in the Naval Appropriation Act, 1943.

BUREAU OF YARDS AND DOCKS

Maintenance, Bureau of Yards and Docks, \$9,000,000.

Public Works, Bureau of Yards and Docks: For public works and public utilities, Bureau of Yards and Docks, including the acquisition of necessary land, \$800,000,000, which, together with the unexpended balances of appropriations heretofore made under this head, shall be finally accounted for as one fund, which fund shall be available for continuing or completing the construction of any project heretofore authorized or undertaken thereunder, for acquisition or construction of temporary or emergency buildings and facilities at localities within or without the United States, needed by the Navy and specifically approved by the Secretary of the Navy, including collateral public works items and other expenses: *Provided*, That contracts for work under this appropriation may be entered into without regard to the provisions of section 3709, Revised Statutes: *Provided further*, That the approximate cost of classes of projects under such sum of \$800,000,000 shall be as follows: Fleet facilities, \$4,000,000; aviation facilities, \$168,780,000; lighter-than-air program, \$25,000,000; storage facilities, \$119,000,000; liquid fuel storage, \$100,000,000; Marine Corps training facilities, \$20,000,000; ordnance storage facilities, \$150,000,000; personnel training and housing facilities, \$100,000,000; hospital and dispensary facilities, \$40,500,000; shore radio facilities, \$11,000,000; Naval Research Laboratory, \$720,000; miscellaneous structures, \$25,000,000; floating drydock program, \$36,000,000: *Provided further*, That the approximate cost indicated for each such class may, in the discretion of the Secretary of the Navy, be varied upward or downward but the total cost shall not exceed \$800,000,000.

No part of the appropriations in this Act under the Navy Department shall be expended for a permanent type of construction at any shore establishment of any character acquired subsequently to the calendar year 1938, unless such establishment shall be designated by the Secretary of the Navy as a permanent establishment, and, in that event, a permanent type of construction shall be used only to meet such permanent requirements as the Secretary of the Navy may approve: *Provided*, That nothing herein shall prevent construction of a type sufficiently substantial for the use intended nor apply to construction projects now under contract or in progress: *Provided further*, That no part of such appropriations may be obligated for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, for greater amounts per unit than follow:

Permanent construction:

For commissioned officer, \$10,000.

For commissioned warrant or warrant officer, \$7,500.

For enlisted man, \$6,000.

Temporary construction:

For commissioned officer, \$7,500.

For commissioned warrant or warrant officer, \$5,000.

For enlisted man, \$3,500.

The fixed fee to be paid the contractor as a result of any contract hereafter entered into under this appropriation shall not exceed 6 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy.

BUREAU OF AERONAUTICS

AVIATION, NAVY

Aviation, Navy, including not to exceed \$220,000,000 for expansion of and facilities in public or private plants and for expediting the production of naval aircraft, equipment, parts and accessories, \$464,827,500: *Provided*, That the funds appropriated under this head for the fiscal years 1942 and 1943 shall be available for outfits for aviation messes at air stations or elsewhere.

MARINE CORPS

PAY, MARINE CORPS

Pay of enlisted men, active list, \$4,756,000.

GENERAL EXPENSES, MARINE CORPS

For provisions, subsistence, and so forth, \$5,495,000;

For transportation of troops, and so forth, \$2,220,000;

For miscellaneous supplies and expenses, \$1,680,000;

In all, to be accounted for as one fund, \$9,395,000: *Provided*, That the appropriations under this heading for the fiscal years 1942 and 1943 shall be available for the purchase of civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$25 per man, to be issued when necessary to Marines given discharges for bad conduct, undesirability, unfitness, or inaptitude.

INCREASE AND REPLACEMENT OF NAVAL VESSELS

Armor, armament, and ammunition: The Secretary of the Navy is hereby authorized to enter into contracts, in addition to existing appropriations therefor, for tools, equipment, and facilities in and land for public and private plants for the manufacture or production of ordnance material, munitions, and armor, and for the protection of private plants, in an amount of \$100,000,000, the total amount authorized in this and prior Acts for such purposes being \$595,000,000.

REPAIR FACILITIES, NAVY

Repair facilities, Navy: The Secretary of the Navy is hereby authorized to enter into contracts, in addition to existing appropriations, therefor, for repair facilities in the amount of \$25,000,000.

COAST GUARD

General expenses, Coast Guard, \$1,543,000: *Provided*, That existing limitations upon amounts that may be used by the Coast Guard during the fiscal years 1942 and 1943 for purchase, exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles are hereby suspended.

Construction of vessels and shore facilities, Coast Guard, including rental of shore facilities for temporary use, \$21,400,000.

Maritime training fund, Coast Guard: For the purchase of training ships for merchant marine personnel, \$5,000,000.

Appropriations under the Coast Guard for the fiscal years 1942 and 1943 shall be available for the purchase of civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$25 per man, to be issued when necessary to members of the Coast Guard given discharges for bad conduct, undesirability, unfitness, or inaptitude.

NAVAL EMERGENCY FUND

Naval emergency fund, including naval objects and purposes other than personal services, whether or not provided for under other naval appropriations, which the Secretary of the Navy may deem essential to the war effort, to remain available until June 30, 1943, \$10,000,000.

GENERAL PROVISIONS

SEC. 201. Whenever the President deems it to be in the interest of national defense he may authorize the Secretary of the Navy to sell, transfer title to, exchange, lease, lend, or otherwise dispose of, to the government of any country whose defense the President deems vital to the defense of the United States, any defense articles procured from funds appropriated in this title, in accordance with the provisions of the Act of March 11, 1941 (Public Law 11): *Provided*, That the total value of articles disposed of under this authority shall not exceed \$18,000,000: *Provided further*, That the term "defense article" as used herein shall be deemed to include defense information and services, and the expenses in connection with the procurement or supplying of defense articles, information, and services: *Provided further*, That the limitation of \$2,500,000,000 established in section 301 of the Act of February 7, 1942 (Public Law 441), shall apply to all appropriations made to the Navy Department since March 11, 1941.

SEC. 202. The appropriations of the Navy Department for the fiscal years 1942 and 1943 shall be available to carry out the provisions of Executive Order Numbered 9112 of March 26, 1942.

SEC. 203. This title may be cited as "Title VII, Naval Appropriation Act, 1942".

TITLE III—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

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 1942, is reappropriated and made available for the fiscal year 1943.

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 1942, is reappropriated and made available for the fiscal year 1943.

HOUSE OF REPRESENTATIVES

Contingent expenses: The appropriations for the fiscal years 1942 and 1943 for folding speeches and pamphlets shall also be available, in addition to the rate of compensation specified therein, for employment of personnel at a rate not to exceed \$4 per day per person; and as to such appropriation for the fiscal year 1942, such latter rate shall be effective March 23, 1942.

ARCHITECT OF THE CAPITOL

Capitol Power Plant: For an additional amount for lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and so forth, including the objects specified under this head in the Legislative Branch Appropriation Act, 1942, \$59,847.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

Preparation of Rules for Civil Procedure: For all expenses of the Supreme Court of the United States to provide for expenses of the committee designated by the Court as a continuing advisory committee to advise the Court with respect to proposed amendments or additions to the rules of Civil Procedure for the District Courts of the United States pursuant to the Act entitled "An Act to give the Supreme Court of the United States authority to make and publish Rules in Actions at Law", approved June 19, 1934, including personal services in the District of Columbia and elsewhere and printing and binding, to be expended as the Chief Justice in his discretion may direct, including such per diem allowances in lieu of actual expenses for subsistence at rates to be fixed by him not to exceed \$10 per day, fiscal years 1942 and 1943, \$15,800.

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

The salary of the Assistant Director of the Bureau of the Budget shall be at the rate of \$10,000 per annum after the date of the enactment of this Act.

INDEPENDENT EXECUTIVE AGENCIES

CIVIL SERVICE COMMISSION

National defense activities: For an additional amount for national defense activities, fiscal year 1942, including the objects specified under this heading in the Independent Offices Appropriation Act, 1942, \$800,000.

FEDERAL SECURITY AGENCY

OFFICE OF EDUCATION

Education and training, defense workers (national defense): For an additional amount for payments to States, and so forth (national defense), fiscal year 1942, for the cost of short courses of college grade, as provided in paragraph (3) under this head in the Federal Security Agency Appropriation Act, 1942, \$3,000,000.

The appropriation made by paragraph "(1)" under the heading "Education and training, defense workers (national defense)" in the Federal Security Agency Appropriation Act, 1942, shall also be available for the cost of vocational courses (either by classes or by individuals) of less than college grade in private vocational schools (regardless of tax liability) and in other private facilities where equipment for training is available.

SOCIAL SECURITY BOARD

Grants to States for old-age assistance: For an additional amount for grants to States for old-age assistance, subject to the conditions specified under this heading in the Federal Security Agency Appropriation Act, 1942, \$30,000,000.

Grants to States for unemployment compensation administration: For an additional amount, fiscal year 1942, for unemployment compensation administration, including grants to States, \$10,000,000, which, together with the appropriation under this heading in the Federal Security Agency Appropriation Act, 1942, shall be available, in addition to the objects specified under said heading, for the administration by the Social Security Board of public employment offices in the various States, including printing and binding and the transfer of household goods and effects, as provided in the Act of October 10, 1940: *Provided*, That the Federal Security Administrator may delegate to such officers or employees as he may designate for the purpose all authority in connection with the transfer of personnel and household goods and effects from one official station to another.

PUBLIC HEALTH SERVICE

Pay of personnel and maintenance of hospitals: For an additional amount, fiscal year 1942, for pay of personnel and maintenance of hospitals, including the objects and subject to the limitations specified under this head in the Federal Security Agency Appropriation Act, 1942, \$453,000.

SAINT ELIZABETHS HOSPITAL

Continuous-treatment buildings: For an additional amount for the completion of construction and equipment, in the grounds of the hospital, of two continuous-treatment buildings, \$200,000, to remain available until completion of said work.

FEDERAL WORKS AGENCY

National Bureau of Standards, additional facilities, Washington, District of Columbia: For the construction of a service building and

a second story on the existing radio laboratory building on the grounds of the National Bureau of Standards, Washington, District of Columbia, including all administrative expenses in connection therewith, \$280,000.

Emergency safeguarding of public buildings and property: To enable the Public Buildings Administration, independently or in cooperation with other agencies of the Government, without regard to sections 3709 and 355 of the Revised Statutes and section 322 of the Act of June 30, 1932, to provide for the emergency safeguarding from subversive hostile acts and overt acts of aggression or depredation of the following: (1) Federal buildings and leased quarters wholly occupied by the Government, regardless of location, jurisdiction, and control (except those under the control of the War and Navy Departments); (2) administrative buildings of the government of the District of Columbia; (3) utilities, not otherwise protected, that are necessary for the operation of such buildings; and (4) records, valuable materials, and other property of the United States, and all expenses incident to the foregoing including the construction or rental of buildings and other facilities for storage purposes within and outside the District of Columbia and the purchase or rental of land therefor, the remodeling of such buildings necessary for the protection of records, valuable materials, and other property, and the extension and protection, not otherwise provided, of Government-owned utilities, and for all expenses incident to the foregoing, including the purchase of materials, equipment, and apparatus, and repairs, construction or reconstruction of buildings damaged by such subversive or overt acts; personal services in the District of Columbia and elsewhere without regard to the civil-service or classification laws, \$12,500,000, to remain available during the existence of the emergency declared by the President May 27, 1941, of which amount not exceeding \$350,000 may be used for administrative expenses: *Provided*, That the cost-plus-a-percentage-of-cost system of contracting shall not be used, but this proviso shall not be construed to prevent the use of a cost-plus-a-fixed-fee form of contract: *Provided further*, That codes developed as guides for the accomplishment of the purposes hereof shall be subject to the approval of the Federal Works Administrator: *Provided further*, That activities with respect to subversive hostile acts shall be coordinated with the facility security program of the Office of Civilian Defense: *Provided further*, That so much of the foregoing appropriation (not to exceed \$100,000) as may be needed for the Capitol Building and Grounds, Senate Office Building, House Office Buildings, Library of Congress Buildings, United States Botanic Garden Buildings, Capitol Power Plant, Legislative Garage, United States Supreme Court Building, and any other buildings for which the Architect of the Capitol is responsible for structural and mechanical care, shall be transferred on the books of the Treasury from time to time as may be agreed upon by the Architect of the Capitol and the Commissioner of Public Buildings, for direct expenditure by such Architect under the authority of this paragraph, and including professional and technical services without reference to section 35 of the Public Buildings Act of June 25, 1910, as amended.

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For an additional amount for salaries

and expenses, public buildings and grounds in the District of Columbia and adjacent area, fiscal year 1942, including the objects specified under this head in the Independent Offices Appropriation Act, 1942, \$3,413,394: *Provided*, That the limitation upon the amount which may be expended for purchase, repair, and cleaning of uniforms for guards and elevator conductors for the fiscal year 1942 is hereby waived.

Salaries and expenses, public buildings and grounds outside the District of Columbia: For an additional amount for salaries and expenses, public buildings and grounds outside the District of Columbia, fiscal year 1942, including the objects specified under this head in the Independent Offices Appropriation Act, 1942, \$278,627.

PUBLIC ROADS ADMINISTRATION

Access roads: Authority is hereby granted, in addition to the authority granted for the same purpose under this heading in the Third Supplemental National Defense Appropriation Act, 1942, to enter into contracts in the amount of \$25,400,000 for the construction and improvement of access roads and for replacing existing highways and highway connections as described in and in accordance with section 6 of the Defense Highway Act of 1941 (Public Law 295), such authority to continue during the existence of the emergency declared by the President on May 27, 1941.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

For an additional amount for the fiscal year 1942, to remain available until expended, for continuing construction and equipment of the Aircraft Engine Research Laboratory at Cleveland, Ohio, \$3,500,000: *Provided*, That the limitation of \$13,300,000 upon the total cost of construction and equipment of said Aircraft Engine Research Laboratory is hereby increased to \$18,171,000.

SELECTIVE SERVICE SYSTEM

For an additional amount for the operation and maintenance of the Selective Service System for the fiscal year 1942, including the objects specified for the appropriation under this head in the Independent Offices Appropriation Act, 1942, \$3,770,000, which amount, together with the said appropriation and \$3,500,000 of the unobligated balance of the appropriation under this head in the Third Supplemental National Defense Appropriation Act, 1941, shall be consolidated and constitute one fund: *Provided*, That from the date of the approval of this Act to June 30, 1943, the Director of Selective Service, in prescribing per diem rates of allowance, not exceeding \$6, in lieu of subsistence for officers of the Army, Navy, and Marine Corps, and of the reserve components thereof, traveling on official business and away from their designated posts of duty, pursuant to the first paragraph of section 12 of the Act approved June 10, 1922 (42 Stat. 631), as amended, is hereby authorized to prescribe such per diem rates of allowance, whether or not orders are given to such officers for travel to be performed repeatedly between two or more places in the same vicinity, and without regard to the length of time away from their designated posts of duty under such orders.

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For an additional amount, fiscal year 1942, for all salaries and expenses of the Veterans' Administration, including the objects and subject to the limitations specified under this head in the Independent Offices Appropriation Act, 1942, \$1,600,000.

Printing and binding: For an additional amount for printing and binding for the Veterans' Administration, fiscal year 1942, \$70,000.

DISTRICT OF COLUMBIA

GENERAL EXPENSES

Department of insurance, salaries: For an additional amount for personal services, fiscal year 1942, \$2,445.

Office of Administrator of Rent Control, salaries and expenses: For an additional amount for all expenses necessary in carrying out the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, including personal services and printing and binding, fiscal year 1942, \$5,400.

CONTINGENT AND MISCELLANEOUS EXPENSES

Contingent expenses: For an additional amount for general necessary expenses of District offices, fiscal year 1942, including the objects and subject to the conditions and limitations specified under this head in the District of Columbia Appropriation Act, 1942, \$7,200.

Postage: For an additional amount for postage for strictly official mail matter, including the rental of postage-meter equipment, fiscal year 1942, \$4,000.

Printing and binding: For an additional amount for printing and binding, fiscal year 1942, including the condition specified under this head in the District of Columbia Appropriation Act, 1942, \$6,500.

COLLECTION AND DISPOSAL OF REFUSE

Street cleaning: For an additional amount for dust prevention, sweeping and cleaning streets, avenues, alleys, and suburban streets, fiscal year 1942, including the objects and subject to the limitation specified under this head in the District of Columbia Appropriation Act, 1942, \$20,000.

Collection and disposal of refuse, expenses: For an additional amount to enable the Commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, and so forth, fiscal year 1942, including the objects and subject to the conditions specified under this head in the District of Columbia Appropriation Act, 1942, \$40,000.

POLICEMEN AND FIREMEN'S RELIEF

For an additional amount for the fiscal year 1942 to pay the policemen and firemen's relief and other allowances as authorized by law, \$60,000.

PUBLIC SCHOOLS

Community Center Department: For an additional amount for all expenses necessary for the operation and maintenance of the Community Center Department, fiscal year 1942, including the objects and subject to the conditions specified in the appropriation under this head in the District of Columbia Appropriation Act, 1942, \$15,000.

Buildings and grounds: For the completion of six unfinished classrooms at the Lafayette School, fiscal year 1942, to remain available during the fiscal year 1943, \$45,000.

HEALTH DEPARTMENT

Inspections: For an additional amount for inspections, fiscal year 1942, including the objects and subject to the limitations specified under this head in the District of Columbia Appropriation Act, 1942, \$15,000.

Tuberculosis sanatoria, expenses: For an additional amount for provisions, and so forth, fiscal year 1942, including the objects and subject to the limitations specified in the District of Columbia Appropriation Act, 1942, \$40,000.

Repairs and improvements: For an additional amount for repairs and improvements to buildings and grounds, including roads and sidewalks, fiscal year 1942, \$9,173.

Gallinger Municipal Hospital, expenses: For an additional amount for maintenance of the hospital, fiscal year 1942, including the objects and subject to the limitation specified under this head in the District of Columbia Appropriation Act, 1942, \$73,700, and the amount specified for purchase (including exchange) of two motortrucks is increased to \$2,400.

Repairs: For an additional amount for repairs and improvements to buildings and grounds, fiscal year 1942, \$6,500.

COURTS

Municipal court: For an additional amount for contingent expenses, fiscal year 1942, including the objects specified under this head in the District of Columbia Appropriation Act, 1942, \$840.

PUBLIC WELFARE

Jail: For an additional amount for maintenance and support of prisoners of the District of Columbia at the jail, fiscal year 1942, including the objects and subject to the limitations specified under this head in the District of Columbia Appropriation Act, 1942, \$4,650.

Workhouse and reformatory, expenses: For an additional amount for maintenance, care, and support of inmates, fiscal year 1942, including the objects and subject to the limitations specified under this head in the District of Columbia Appropriation Act, 1942, \$12,000.

District of Columbia Training School: For an additional amount for maintenance and other necessary expenses, fiscal year 1942,

including the objects and subject to the limitation specified under this head in the District of Columbia Appropriation Act, 1942, \$15,000.

Industrial Home School for Colored Children: For an additional amount for maintenance, fiscal year 1942, including the objects and subject to the limitation specified under this head in the District of Columbia Appropriation Act, 1942, \$5,000.

MILITIA

For an additional amount for personal services and other expenses, fiscal year 1941, including the objects and subject to the limitations specified under this head in the District of Columbia Appropriation Act, 1941, \$1,409.18.

DIVISION OF EXPENSES

The foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for the respective fiscal years for which such sums are provided.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

SALARIES AND EXPENSES

National forest protection and management: For an additional amount for national forest protection and management, to be used for the care of plantations and young growth, fiscal year 1942, \$500,000, to remain available until June 30, 1943.

Forest-fire control, Department of Agriculture (emergency): For all necessary expenses to enable the Secretary of Agriculture, independently or in cooperation with the various States or other appropriate agencies or individuals, to intensify and augment forest-fire prevention and suppression measures in critical areas on Federal, State, county, municipal, or private lands, including the purchase (not to exceed \$5,000), operation, and maintenance of passenger-carrying vehicles, and not to exceed \$20,000 for personal services in the District of Columbia, fiscal year 1942, \$5,000,000, to remain available until June 30, 1943: *Provided*, That there shall not be expended from this appropriation on non-Federal lands in any State any amount in excess of the amount made available by the State, or private agencies, or individuals for the purposes of this appropriation: *Provided further*, That sections 2 and 3 of the Department of Agriculture Appropriation Act, 1942, or similar provisions in this Act or in the Act making appropriations for said Department for the fiscal year 1943 shall not apply to persons employed hereunder for less than sixty days on sudden emergency work involving the loss of human life or destruction of property.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Control of incipient and emergency outbreaks of insect pests and plant diseases: To enable the Secretary of Agriculture to carry out the provisions of and for expenditures authorized by the joint resolution approved May 9, 1938 (7 U. S. C. 148-148e), fiscal year 1942, \$1,750,000, to remain available until June 30, 1943.

EMERGENCY RUBBER PROJECT

For all expenses necessary to enable the Secretary of Agriculture to carry into effect the provisions of the Act of March 5, 1942 (Public Law 473), and in accordance with the provisions thereof, including personal services in the District of Columbia and elsewhere (including alien labor); printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); purchase of books of reference and periodicals; the purchase (not to exceed \$13,000), operation, and maintenance of passenger-carrying vehicles; the exchange of passenger-carrying and other motor vehicles, tractors, and other equipment and parts or accessories thereof, in whole or in part payment for similar equipment; the erection of necessary buildings; the procurement of medical supplies and services for emergency use in the field; and the acceptance of donations of land and rubber-bearing plants, \$4,200,000, to remain available until June 30, 1943: *Provided*, That any proceeds from the sales of guayule, rubber processed from guayule, or other rubber-bearing plants, or from other sales resulting from operations under such Act of March 5, 1942, shall be covered into the Treasury as "Miscellaneous receipts": *Provided further*, That the allocations of \$884,000 and \$750,000 for these purposes from the emergency fund for the President in the Independent Offices Appropriation Act, 1942, made by letter Numbered 42-75, dated February 6, 1942, and letter Numbered 42-89, dated March 10, 1942, respectively, shall be transferred to and made a part of this appropriation, and immediately thereafter an amount equal to such allocation shall be repaid to said Emergency Fund for the President (Public Law 473, Seventy-seventh Congress).

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

Expenses of the Sixteenth Census: For an additional amount for continuing the work of taking, compiling, and publishing the Sixteenth Census of the United States, fiscal year 1942, including the objects specified under this head in the Department of Commerce Appropriation Act, 1942, \$500,000.

OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

Enforcement of safety regulations: For an additional amount, fiscal year 1942, for enforcement of safety regulations, including the objects specified under this head in the Department of Commerce Appropriation Act, 1942, \$166,000.

Establishment of air-navigation facilities: For an additional amount, fiscal year 1942, for establishment of air-navigation facilities, including the objects specified under this head in the Department of Commerce Appropriation Act, 1942, \$1,940,000: *Provided*, That this appropriation and the unobligated balances of the appropriations for this purpose contained in said Appropriation Act and in the First Supplemental National Defense Appropriation Act, 1942, shall continue available until June 30, 1943.

Maintenance and operation of air-navigation facilities: For an additional amount, fiscal year 1942, for maintenance and operation of air-navigation facilities, including the objects specified under this head in the Department of Commerce Appropriation Act, 1942, and including the training of employees to be assigned to the operation and maintenance of air-navigation facilities, \$823,720: *Provided*, That the limitation on the amount which may be expended for airport traffic control contained in the First Supplemental National Defense Appropriation Act, 1942, is hereby removed.

Development of landing areas: The unexpended balances of the appropriations under this head made by the First Supplemental Civil Functions Appropriation Act, 1941, the Department of Commerce Appropriation Act, 1942, the First Supplemental National Defense Appropriation Act, 1942, and the Third Supplemental National Defense Appropriation Act, 1942, are hereby consolidated, to be accounted for as one fund, which shall be available until June 30, 1943, for the construction, improvement, and repair of public airports and other public landing areas as authorized in said Acts and for necessary administrative expenses incident thereto, subject to the limitations in said Acts, including engineering services and supervision of construction: *Provided*, That this appropriation shall be available for transfer to other Federal agencies to carry out the purposes hereof as specified under this head in the Department of Commerce Appropriation Act, 1942.

COAST AND GEODETIC SURVEY

Amounts appropriated for "Magnetic and seismological work" and "Office force", Coast and Geodetic Survey, in the Department of Commerce Appropriation Act, 1941, are hereby increased by \$380 and \$830, respectively, by transfer from the appropriation contained in said Act for "Field expenses, coastal surveys", Coast and Geodetic Survey.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

Fire protection of forests, forest industries, and strategic facilities (national defense): For all necessary expenses to enable the Department of the Interior independently or in cooperation with other appropriate agencies to initiate and intensify and augment forest fire prevention and suppression measures on critical forest, brush, and grass areas under the administration of the Department of the Interior, including not to exceed \$8,000 for personal services in the District of Columbia; purchase (not to exceed \$6,000), maintenance, operation, and repair of passenger-carrying automobiles; hire, with

or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment; and purchase in the District of Columbia or elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior", fiscal year 1942, \$812,000, to remain available until June 30, 1943: *Provided*, That for sudden emergency work involving the loss of human life or the destruction of property, persons may be employed for periods of less than sixty days and be paid salaries or wages from this appropriation without the necessity of inquiring into their citizenship or membership in any organization.

Protection of mineral resources and facilities, including petroleum (national defense): For all necessary expenses to enable the Department of the Interior independently or in cooperation with other appropriate agencies, public or private, to initiate and intensify and augment measures to prevent subversive activities from interfering with the extraction and processing of minerals and petroleum, including not to exceed \$50,000 for personal services in the District of Columbia; purchase (not to exceed \$50,000), maintenance, operation, and repair of passenger-carrying automobiles; traveling expenses, including expenses of attendance at meetings of members of societies or associations concerned with the furtherance of the purposes hereof; hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment; not to exceed \$6,000 for printing and binding; purchase of special apparel and equipment for the protection of employees while engaged in their work; and purchase in the District of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior", fiscal year 1942, \$800,000, to remain available until June 30, 1943.

GOVERNMENT IN THE TERRITORIES

Contingent expenses, Territory of Alaska: For an additional amount for incidental and contingent expenses of the offices of the Governor and the Secretary of the Territory, including the objects specified for the appropriation for this purpose in the Interior Department Appropriation Act, 1942, fiscal year 1942, \$1,300, of which \$525 shall be for clerk hire.

Defraying deficits in treasuries of municipal governments, Virgin Islands: For an additional amount, fiscal year 1942, for defraying the deficit in the treasury of the municipal government of Saint Croix because of the excess of current expenses over current revenues for the fiscal year 1942, \$10,000.

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses: For an additional amount for "Salaries and expenses, Immigration and Naturalization Service", fiscal year 1942, including the objects specified under this heading in the Department of Justice Appropriation Act, 1942, \$4,750,000, including alterations, improvements, and repairs to premises occupied for detention purposes without regard to section 322 of the Act of June 30, 1932 (40

U. S. C. 278a), when authorized or approved by the Attorney General, and for all necessary expenses incident to the maintenance, care, detention, surveillance, parole, and transportation of alien enemies, including transportation and other expenses in the return of such aliens to place of bona fide residence or to such other place as may be authorized by the Attorney General.

MISCELLANEOUS

Lands Division, salaries and expenses: For an additional amount for salaries and expenses, Lands Division, Department of Justice, fiscal year 1942, including the objects specified under this head in the Department of Justice Appropriation Act, 1942, \$300,000.

Alien Enemy Control Unit, salaries and expenses: For salaries and expenses in connection with the registration and control of alien enemies in accordance with sections 4067-4070 of the Revised Statutes of the United States, as amended (50 U. S. C. 21-24), including personal services in the District of Columbia and elsewhere; traveling expenses; purchase, exchange, rental, and repair of typewriters and other labor-saving office appliances; printing and binding; and all other contingent expenses in the District of Columbia and elsewhere, fiscal year 1942, \$1,700,000, to remain available until June 30, 1943, of which not to exceed \$200,000 may be expended for personal services without regard to the civil service and classification laws: *Provided*, That this appropriation shall be available for transfer to or reimbursement of other public agencies, Federal, State, or local, for assistance rendered hereunder: *Provided further*, That \$325,000 of this appropriation shall be transferred to the emergency fund for the President created by the Independent Offices Appropriation Act, 1942, in reimbursement of said appropriation on account of the advance therefrom of a like sum for the purposes hereof.

DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

Commissioners of conciliation (national defense): For an additional amount for the fiscal year 1942 for "Commissioners of conciliation (national defense)", including the objects specified under this heading in the Department of Labor Appropriation Act, 1942, \$113,250.

Wage and Hour Division: Not to exceed \$45,000 of the appropriation "Salaries, Wage and Hour Division, Department of Labor, 1942", may be transferred to the appropriation "Miscellaneous expenses, Wage and Hour Division, Department of Labor, 1942".

POST OFFICE DEPARTMENT

(OUT OF THE POSTAL REVENUES)

CONTINGENT EXPENSES

Printing and binding: For an additional amount for printing and binding for the Post Office Department, fiscal year 1942, \$235,000.

DEPARTMENT OF STATE

PASSPORT AGENCIES

For an additional amount for passport agencies, including the objects specified under this heading in the Department of State Appropriation Act, 1942, \$7,000; and the limitation of \$500 for travel expenses is hereby increased to \$1,100.

AMBASSADORS AND MINISTERS

Salaries, ambassadors and ministers, 1942: The appropriation for salaries of ambassadors and ministers contained in the Department of State Appropriation Act, 1942, shall be available for salaries of Ambassadors Extraordinary and Plenipotentiary to Bolivia, Ecuador, and Paraguay, at the rate of \$10,000 per annum each, and for the salary of an Envoy Extraordinary and Minister Plenipotentiary to New Zealand at the rate of \$10,000 per annum.

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

Salaries and expenses, Foreign-owned property control: For an additional amount for salaries and expenses, foreign-owned property control, fiscal year 1941, including the objects specified under this heading in the Second Deficiency Appropriation Act, 1940, \$30,412.

For an additional amount for salaries and expenses, foreign-owned property control, fiscal year 1942, including the objects specified under this heading in the Treasury Department Appropriation Act, 1942, \$2,500,000.

BUREAU OF ACCOUNTS

Division of Disbursement: For an additional amount for the Division of Disbursement, fiscal year 1942, including the objects specified under this heading in the Treasury Department Appropriation Act, 1942, \$200,000: *Provided*, That the responsibility and accountability of certifying officers under the Act of December 29, 1941 (Public Law 389), shall be deemed to include the correctness of the computations of certified vouchers and disbursing officers shall not be held accountable under section 1 of such Act for the correctness of such computations.

There may be transferred with the approval of the Director of the Bureau of the Budget, not to exceed \$75,000 from the appropriation for administrative expenses of the Procurement Division, Treasury Department, contained in section 2 (a) of the Emergency Relief Appropriation Act, fiscal year 1942, to the appropriation for administrative expenses of the Division of Disbursement, contained in the same section of such Act.

OFFICE OF TREASURER OF UNITED STATES

Salaries: For an additional amount for salaries, Office of Treasurer of United States, fiscal year 1942, including the objects specified

under this heading in the Treasury Department Appropriation Act, 1942, \$100,000.

TITLE IV—GENERAL PROVISIONS

SEC. 401. The last proviso under the caption Military Posts in title IV, Military Appropriation Act, 1941 (Public, Numbered 800, Seventy-sixth Congress), is hereby repealed, and section 2 of the First Supplemental National Defense Appropriation Act, 1942, approved August 25, 1941 (Public Law 247, Seventy-seventh Congress), is hereby amended to read as follows:

“SEC. 2. It shall be the duty of the Secretary of War and the Secretary of the Navy, respectively, to file with the Congress, within sixty days after the end of each fiscal year, a complete list of all contracts in excess of \$150,000, including contracts for the purchase of land, undertaken during such fiscal year for the expenditure of funds appropriated by this or any other Act, showing (1) a statement of the subject matter of each contract; (2) the names of the contractors; (3) the names of the persons who approved the specifications, consummated the making or concluded the negotiation of any such contract on behalf of the Government, and of all persons who participated in the negotiations on behalf of the contractor; (4) if any such contract was awarded without competitive bidding, a statement of the principal or controlling reason for the selection of the contractor; and (5) as to contracts for the purchase of land, also the location, area, intended use, the purchase price and assessed value thereof.”

SEC. 402. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act 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: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 403. (a) For the purposes of this section, the term “Department” means the War Department, the Navy Department, and the Maritime Commission, respectively; in the case of the Maritime Commission, the term “Secretary” means the Chairman of such Commission; and the terms “renegotiate” and “renegotiation” include the refixing by the Secretary of the Department of the contract price. For the purposes of subsections (d) and (e) of this section, the term “contract” includes a subcontract and the term “contractor” includes a subcontractor.

(b) The Secretary of each Department is authorized and directed to insert in any contract for an amount in excess of \$100,000 here-

after made by such Department (1) a provision for the renegotiation of the contract price at a period or periods when, in the judgment of the Secretary, the profits can be determined with reasonable certainty; (2) a provision for the retention by the United States or the repayment to the United States of (A) any amount of the contract price which is found as a result of such renegotiation to represent excessive profits and (B) an amount of the contract price equal to the amount of the reduction in the contract price of any subcontract under such contract pursuant to the renegotiation of such subcontract as provided in clause (3) of this subsection; and (3) a provision requiring the contractor to insert in each subcontract for an amount in excess of \$100,000 made by him under such contract (A) a provision for the renegotiation by such Secretary and the subcontractor of the contract price of the subcontract at a period or periods when, in the judgment of the Secretary, the profits can be determined with reasonable certainty, (B) a provision for the retention by the United States or the repayment to the United States of any amount of the contract price of the subcontract which is found as a result of such renegotiation, to represent excessive profits, and (C) a provision for relieving the contractor from any liability to the subcontractor on account of any amount so retained by or repaid to the United States.

(c) The Secretary of each Department is authorized and directed, whenever in his opinion excessive profits have been realized, or are likely to be realized, from any contract with such Department or from any subcontract thereunder, (1) to require the contractor or subcontractor to renegotiate the contract price, (2) to withhold from the contractor or subcontractor any amount of the contract price which is found as a result of such renegotiation to represent excessive profits, and (3) in case any amount of the contract price found as a result of such renegotiation to represent excessive profits shall have been paid to the contractor or subcontractor, to recover such amount from such contractor or subcontractor. Such contractor or subcontractor shall be deemed to be indebted to the United States for any amount which such Secretary is authorized to recover from such contractor or subcontractor under this subsection, and such Secretary may bring actions in the appropriate courts of the United States to recover such amount on behalf of the United States. All amounts recovered under this subsection shall be covered into the Treasury as miscellaneous receipts. This subsection shall be applicable to all contracts and subcontracts hereafter made and to all contracts and subcontracts heretofore made, whether or not such contracts or subcontracts contain a renegotiation or recapture clause, provided that final payment pursuant to such contract or subcontract has not been made prior to the date of enactment of this Act.

(d) In renegotiating a contract price or determining excessive profits for the purposes of this section, the Secretaries of the respective Departments shall not make any allowance for any salaries, bonuses, or other compensation paid by a contractor to its officers or employees in excess of a reasonable amount, nor shall they make allowance for any excessive reserves set up by the contractor or for any costs incurred by the contractor which are excessive and unreasonable. For the purpose of ascertaining whether such unreasonable compensation has been or is being paid, or whether such excessive

reserves have been or are being set up, or whether any excessive and unreasonable costs have been or are being incurred, each such Secretary shall have the same powers with respect to any such contractor that an agency designated by the President to exercise the powers conferred by title XIII of the Second War Powers Act, 1942, has with respect to any contractor to whom such title is applicable. In the interest of economy and the avoidance of duplication of inspection and audit, the services of the Bureau of Internal Revenue shall, upon request of each such Secretary and the approval of the Secretary of the Treasury, be made available to the extent determined by the Secretary of the Treasury for the purposes of making examinations and determinations with respect to profits under this section.

(e) In addition to the powers conferred by existing law, the Secretary of each Department shall have the right to demand of any contractor who holds contracts with respect to which the provisions of this section are applicable in an aggregate amount in excess of \$100,000, statements of actual costs of production and such other financial statements, at such times and in such form and detail, as such Secretary may require. Any person who willfully fails or refuses to furnish any statement required of him under this subsection, or who knowingly furnishes any such statement containing information which is false or misleading in any material respect, shall, upon conviction thereof, be punished by a fine of not more than \$10,000 or imprisonment for not more than two years, or both. The powers conferred by this subsection shall be exercised in the case of any contractor by the Secretary of the Department holding the largest amount of such contracts with such contractor, or by such Secretary as may be mutually agreed to by the Secretaries concerned.

(f) The authority and discretion herein conferred upon the Secretary of each Department, in accordance with regulations prescribed by the President for the protection of the interests of the Government, may be delegated, in whole or in part, by him to such individuals or agencies in such Department as he may designate, and he may authorize such individuals or agencies to make further delegations of such authority and discretion.

(g) If any provision of this section or the application thereof to any person or circumstance is held invalid, the remainder of the section and the application of such provision to other persons or circumstances shall not be affected thereby.

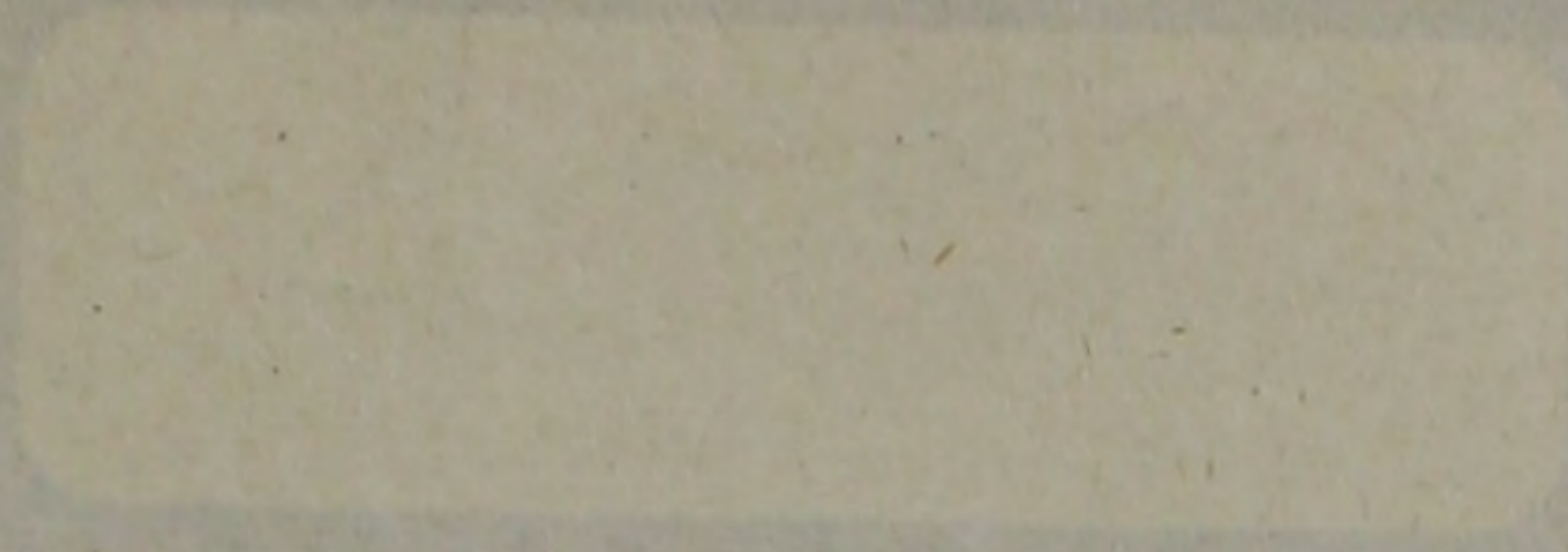
(h) This section shall remain in force during the continuance of the present war and for three years after the termination of the war, but no court proceedings brought under this section shall abate by reason of the termination of the provisions of this section.

SEC. 404. No part of any appropriation contained in this Act or authorized hereby to be expended (except as otherwise provided for herein) shall be used to pay the compensation of any officer or employee of the Government of the United States, whose post of duty is in continental United States unless such person is a citizen of the United States, or a person in the service of the United States on the date of the approval of this Act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States. This section shall not apply to citizens of the Commonwealth of the Philippines.

SEC. 405. Section 302 (c) of the Treasury and Post Office Departments Appropriation Act, 1942, and section 302 (c) of the Treasury and Post Office Departments Appropriation Act, 1943, are hereby repealed; and the limitation of \$750 specified in section 302 (a) of each of such Acts and any similar limitation of the same or a lesser sum specified in any other appropriation Act for such fiscal years may be exceeded by such amount as the Secretary of War, in the case of the War Department, the Secretary of the Navy, in the case of the Navy Department, the Commissioners of the District of Columbia, in the case of the Government of the District of Columbia, and the Director of Procurement, in the case of other essential governmental needs, may determine necessary to obtain satisfactory motor-propelled passenger-carrying vehicles of the lightweight, low-priced class, but in no event shall the price so paid for any such vehicle exceed \$925 free on board factory: *Provided*, That purchases of automobiles of the lightweight, low-priced class heretofore made by the War and Navy Departments at prices in excess of \$750 each but not in excess of those permitted by this section are hereby validated.

SEC. 406. This Act may be cited as the "Sixth Supplemental National Defense Appropriation Act, 1942".

Approved, April 28, 1942.



SMITHSONIAN LIBRARIES



3 9088 01850 4514