

for Army
+ Navy

[PUBLIC LAW 13—77TH CONGRESS]

[CHAPTER 16—1ST SESSION]

[H. R. 3617]

AN ACT

Making deficiency and supplemental appropriations for the Army and Navy for the national defense for the fiscal year ending 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, for the Army and Navy for the national defense for the fiscal year ending June 30, 1941, and for other purposes, namely:

TITLE I—WAR DEPARTMENT—MILITARY ACTIVITIES

QUARTERMASTER CORPS

MILITARY POSTS

Construction of buildings, utilities, and appurtenances at military posts: For an additional amount for construction of buildings, utilities, and appurtenances at military posts, including the purposes and objects and subject to the limitations and conditions specified under this appropriation in the Military Appropriation Act, 1941, as amended by the Third Supplemental National Defense Appropriation Act, 1941; and including the acquisition of land, rights pertaining thereto, leasehold and other interests therein, not to exceed \$15,202,466, and temporary use thereof, without regard to the provisions of sections 355, 1136, and 3648, Revised Statutes, as amended (10 U. S. C. 1339; 40 U. S. C. 255; 31 U. S. C. 529); and the purchase, operation, maintenance, and repair of passenger-carrying vehicles; fiscal year 1941, \$675,283,000, to remain available until expended, of which not to exceed \$8,455,000 shall be for payments under contracts authorized under this head in the Military Appropriation Acts for the fiscal years 1940 and 1941.

BARRACKS AND QUARTERS

Barracks and quarters: For an additional amount for barracks and quarters, fiscal year 1941, \$18,238,000, to remain available until June 30, 1942.

CONSTRUCTION AND REPAIR OF HOSPITALS

Construction and repair of hospitals: For an additional amount for construction and repair of hospitals, fiscal year 1941, \$1,597,000, to remain available until June 30, 1942.

This title may be cited as "Title V, Military Appropriation Act, 1941".

TITLE II—NAVY DEPARTMENT

For additional amounts for appropriations for the Navy Department and the naval service, fiscal year 1941, to be supplemental and in addition to the appropriations in the Naval Appropriation Act for the fiscal year ending June 30, 1941, including the objects and subject to the limitations and conditions specified therein, excepting the limitations suspended by the Act approved June 28, 1940 (Public, Numbered 671, Seventy-sixth Congress), and except as otherwise provided herein, as follows:

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

Miscellaneous expenses, Navy, including the expenses of naval observers and not to exceed \$50,000 for the temporary employment of persons or organizations by contract or otherwise without regard to section 3709 of the Revised Statutes, or the classification laws, or section 5 of the Act of April 6, 1914 (38 Stat. 335), \$461,750.

BUREAU OF NAVIGATION

Training, education, and welfare, Navy:

Naval Training Station, San Diego, California, \$167,000;

Naval Training Station, Norfolk, Virginia, \$174,512;

Fleet training, \$71,000;

Instruction, \$29,603;

Libraries, \$28,952;

Welfare and recreation, \$250,000;

In all, training, education, and welfare, Navy, \$721,067.

Pay, Naval Academy: For pay of other employees, \$10,090.

Maintenance and repairs, Naval Academy, \$56,500.

BUREAU OF SHIPS

Maintenance, Bureau of Ships, including charter and hire of vessels for auxiliary purposes when considered necessary by the Secretary of the Navy, \$49,325,000, and, in addition, the Secretary of the Navy may enter into contracts for the objects under this appropriation prior to July 1, 1941, to an amount not in excess of \$49,355,000.

BUREAU OF ORDNANCE

Ordnance and ordnance stores, Navy, \$64,000,000.

BUREAU OF SUPPLIES AND ACCOUNTS

Pay, subsistence, and transportation, Navy, including subsistence of members of the Fleet Reserve and retired enlisted men in naval hospitals, furlough rations, one additional officer above the rank of captain in a flight pay status, and transportation of dependents of retired and Reserve officers and of retired and Reserve enlisted men (of grades entitled to transportation for dependents in the Regular

Navy) when ordered to active duty (other than training) and upon release therefrom, \$46,833,012: *Provided*, That the number of enlisted men who may be detailed to duty in officers' quarters on shore is hereby increased to one hundred: *Provided further*, That the limitation on the amount which may be paid to officers of the Regular Navy for making aerial flights is hereby increased to \$2,075,845: *And provided further*, That service of enlisted men of the Navy with fleet aircraft only shall be considered the equivalent of service aboard a vessel of the Navy in full commission for appointment as midshipmen.

Maintenance, Bureau of Supplies and Accounts, including transfer of household goods and effects of civilian personnel as provided by the Act of October 10, 1940 (Public, Numbered 839), and regulations promulgated thereunder, and of naval personnel as provided by law and regulations, \$2,600,000.

Clothing and small stores fund: For purchase of clothing and small stores for issue to the naval service, to be added to the "Clothing and small stores fund", \$7,000,000.

BUREAU OF MEDICINE AND SURGERY

Medical Department, Navy, \$826,543.

Care of the dead, Navy, \$11,731.

BUREAU OF YARDS AND DOCKS

Maintenance, Bureau of Yards and Docks, including the purchase of forty motor-propelled passenger-carrying vehicles at a cost not to exceed \$600 each, and ten motorbuses at a cost not to exceed \$4,500 each, \$2,586,000.

Public Works, Bureau of Yards and Docks: Toward the following public works and public utilities projects, at a cost not to exceed the amount stated for each project, respectively, \$169,415,000, which amount, together with unexpended balances of appropriations herein and heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund:

Navy Yard, Boston, Massachusetts: Additional ship repair facilities, including buildings and accessories, South Boston, \$3,090,000.

Navy Yard, Boston, Massachusetts: Housing and messing facilities for crews of ships undergoing overhaul, repair and fitting out, and acquisition of land, \$285,000.

Navy Yard, Charleston, South Carolina: Housing and messing facilities for crews of ships undergoing overhaul, repair and fitting out, and quarters for officers, \$522,500.

Navy Yard, Mare Island, California: Housing and messing facilities for crews of ships undergoing overhaul, repair and fitting out, and improvement of water supply, \$1,010,000.

Navy Yard, New York, New York: Housing and messing facilities for crews of ships undergoing overhaul, repair and fitting out, and acquisition of land, \$464,500.

Navy Yard, Norfolk, Virginia: Housing and messing facilities for crews of ships undergoing overhaul, repair and fitting out, and quarters for officers, \$587,500.

Navy Yard, Pearl Harbor, Hawaii: Housing and messing facilities for crews of ships undergoing overhaul, repair and fitting out, improvement of water supply, bombproofed break-down power supply, extension of storage facilities, and acquisition of land, \$6,827,000.

Navy Yard, Philadelphia, Pennsylvania: Housing and messing facilities for crews of ships undergoing overhaul, repair, and fitting out, \$407,500.

Navy Yard, Puget Sound, Washington: Housing and messing facilities for crews of ships undergoing overhaul, repair and fitting out, and extension of storage facilities, \$625,000.

Navy Yard, Washington, District of Columbia: Additional ordnance manufacturing facilities, \$960,000.

Naval station, Guam: Fleet operating facilities, additional power, recreational facilities, bombproofed shelters for communication and personnel, and acquisition of land, \$4,700,000.

Naval station, Guantanamo, Cuba: Additional fleet operating facilities, bombproofed shelters for communication and personnel, and limited ship-repair facilities, \$5,747,500.

Naval station, Key West, Florida: Additional submarine and surface-craft operating and repair facilities, including housing and messing facilities for ships' crews, and acquisition of land, \$1,517,500.

Naval station, Tutuila, Samoa: Expansion of naval station facilities, including buildings and accessories, and the development of defense facilities, including housing, landplane and seaplane operating facilities, and acquisition of land, \$8,100,000.

Naval operating base, Balboa, Canal Zone: Fleet operating and repair facilities, including buildings and accessories, Balboa and Cristobal, \$2,765,000.

Submarine operating facilities, Balboa, Canal Zone: Additional submarine operating facilities, including buildings and accessories, piers, and dredging, \$1,855,000.

Submarine base, Charlotte Amalie, Virgin Islands: Additional submarine operating facilities, including buildings and accessories, and acquisition of land, \$1,270,000.

Submarine base, Coco Solo, Canal Zone: Additional submarine operating facilities, including buildings and accessories, \$1,010,000.

Submarine base, New London, Connecticut: Additional submarine operating and training facilities, including buildings and accessories, and acquisition of land, \$755,000.

Submarine base, Kodiak, Alaska: Submarine operating and limited repair facilities, including piers and buildings and accessories, \$4,002,000.

Submarine base, Midway Island: Submarine operating and limited repair facilities, including piers and buildings and accessories, \$4,115,000.

Submarine base, Pearl Harbor, Hawaii: Storehouse and housing for submarine training devices, \$125,000.

Destroyer base, San Diego, California: Submarine operating facilities, including buildings and accessories, and the development of north water front for handling landing boats, \$1,405,000.

Naval air station, Sitka, Alaska: Surface craft berthing facilities, including extension of pier, dredging, and storage facilities, \$592,000.

Naval air station, Unalaska, Alaska: Surface craft berthing facilities, including piers and storehouse, and acquisition of land, \$1,050,000.

Tenth Naval District, San Juan, Puerto Rico: Surface craft operating facilities, including buildings and accessories, berthing, and housing for personnel, and acquisition of land, \$737,500.

Naval air station, Corpus Christi, Texas: Surface craft housing, messing and recreation facilities, \$173,000.

Naval air station, Jacksonville, Florida: Surface craft housing, messing and recreational facilities, \$173,000.

Fleet operating facilities—Security of fleet anchorage. Vieques, Puerto Rican area: Protected fleet anchorage, including breakwaters, dredging, development of limited repair facilities, buildings and accessories, and acquisition of land, \$35,000,000.

Naval air station, Alameda, California: Additional aviation facilities, including buildings and accessories, and acquisition of land, \$3,499,000.

Naval air station, Anacostia, District of Columbia: Additional aviation facilities, including buildings and accessories, \$1,250,000.

Naval Academy, Annapolis, Maryland: Additional aviation facilities, \$95,000.

Model testing basin, Carderock, Maryland: Wind tunnel building and accessories, \$500,000.

Naval air station, Charleston, South Carolina: Additional aviation facilities, including buildings and accessories and equipment, \$950,000.

Naval air station, Coco Solo, Canal Zone: Additional aviation facilities, including buildings and accessories, \$450,000.

Naval air station, Lakehurst, New Jersey: Development of lighter-than-air facilities, including buildings and accessories and equipment, \$2,000,000.

Naval air station, Corpus Christi, Texas: Additional aviation training facilities, including buildings and accessories and equipment and acquisition of outlying fields, \$12,954,500.

Naval proving ground, Dahlgren, Virginia: Acquisition of land and developments of landing field for aircraft spotting work, \$520,000.

Naval air station, Jacksonville, Florida: Additional aviation training facilities, including buildings and accessories and equipment, \$1,260,500.

Naval air station, Kaneohe Bay, Hawaii: Additional aviation facilities, including buildings and accessories and equipment, \$1,014,500.

Naval air station, Kodiak, Alaska: Additional aviation facilities, including buildings and accessories and equipment, \$3,077,500.

Naval air station, Miami, Florida: Additional aviation training facilities, including buildings and accessories and equipment, \$550,000.

Naval air station, Midway Island: Additional aviation facilities, including buildings and accessories and equipment, \$5,592,000.

Naval aircraft factory, Philadelphia, Pennsylvania: Extension of landing field and additional facilities for aircraft testing, including buildings and equipment, \$720,000.

Naval air station, San Diego, California: Additional aviation facilities, including buildings and accessories and equipment, \$679,000.

Naval air station, San Juan, Puerto Rico: Additional aviation facilities, including buildings and accessories and breakwater, \$1,575,000.

Naval air station, Seattle, Washington: Additional aviation facilities, including buildings and accessories and equipment, \$390,000.

Naval air station, Sitka, Alaska: Additional aviation facilities, including buildings and accessories and equipment, \$499,000.

Naval air station, Unalaska, Alaska: Additional aviation facilities, including buildings and accessories and equipment, \$4,086,500.

Naval air station, Wake Island: Additional aviation facilities, including buildings and accessories and equipment, and the development of entrance channel, \$2,954,500.

Naval air station, Cape May, New Jersey: Additional lighter-than-air facilities, including buildings and accessories, \$200,000.

Naval air station, Trinidad: Toward the development of protected fleet anchorage, and collateral items, for construction now under way, \$5,100,000.

Naval air station, Newfoundland: Collateral items of machine tools and equipment for work now under way, \$1,600,000.

Naval air station, Bermuda: Collateral items of machine tools and equipment for work now under way, \$1,100,000.

Naval proving ground, Dahlgren, Virginia: Additional ordnance testing facilities, including buildings and accessories, and quarters and accessories for officers, \$295,000.

Naval ammunition depot, Hawthorne, Nevada: Extension of water supply and quarters for officers, \$95,000.

Naval ammunition depot, Iona Island, New York: Improvement of power plant, \$100,000.

Naval torpedo station, Keyport, Washington: Quarters for officers, \$30,000.

Naval ammunition depot, Mare Island, California: Inert storehouse, \$70,000.

Naval torpedo station, Newport, Rhode Island: Additional torpedo manufacturing facilities, including buildings and accessories and improvement of power plant, \$2,855,000.

Naval ammunition depot, Puget Sound, Washington: Inert storehouse, \$70,000.

Naval mine depot, Yorktown, Virginia: Additional inert storage facilities, pier, and dredging, \$1,000,000.

Naval net depots—various locations: Additional development of net depots, including buildings and accessories, piers, dredging, and acquisition of land, \$2,000,000.

Naval hospital, Balboa, Canal Zone: Development of temporary hospital facilities, including buildings and accessories, \$500,000.

Medical supply depot, Brooklyn, New York: Extension of medical supply storehouse and acquisition of land, \$150,000.

Naval hospital, Chelsea, Massachusetts: Additional ward building, \$65,000.

Naval hospital, Coco Solo, Canal Zone: Extension of hospital facilities, including buildings and accessories, \$700,000.

Naval hospital, Corpus Christi, Texas: Extension of hospital facilities, including buildings and accessories, \$750,000.

Naval hospital, Great Lakes, Illinois: Additional ward building, \$65,000.

Naval hospital, Guantanamo, Cuba: Additional hospital facilities, including buildings and accessories, and quarters for corpsmen and nurses, \$610,000.

Naval hospital, Jacksonville, Florida: Additional hospital facilities, including buildings and accessories, \$490,000.

Naval hospital, Newport, Rhode Island: Additional ward building, \$65,000.

Naval hospital, Parris Island, South Carolina: Temporary barrack building, and accessories, \$90,000.

Naval hospital, Pearl Harbor, Hawaii: Development of hospital facilities, including buildings and accessories, and acquisition of land, \$2,600,000.

Naval hospital, Philadelphia, Pennsylvania: Storehouse and accessories, \$100,000.

Naval air station, Quonset Point, Rhode Island: Expansion of existing naval dispensary, including buildings and accessories, \$200,000.

Naval hospital, San Diego, California: Expansion of hospital facilities, including buildings and accessories, \$280,000.

Naval hospital, San Juan, Puerto Rico: Quarters for nurses and corpsmen, \$85,000.

Naval hospital, Long Beach-San Pedro area, California: Development of hospital facilities, including buildings and accessories, and acquisition of land, \$2,500,000.

Naval supply depot, Bayonne, New Jersey: Additional fleet supply storage, including buildings and accessories, \$6,500,000.

Naval supply depot, Norfolk, Virginia: Additional fleet supply storage facilities, including buildings and accessories, and repair and improvement of Army terminal, supply depot annex, Norfolk, \$4,400,000.

Naval supply depot, Oakland, California: Additional fleet supply storage facilities, including buildings and accessories, \$1,500,000.

Naval fuel depot, Yorktown, Virginia: Additional pier, dredging and recreation facilities, Mine Warfare School, \$730,000.

General: Additional underground fuel-storage facilities at various locations outside continental limits of the United States, including acquisition of land, \$5,000,000.

Marine barracks at Parris Island, Pearl Harbor, Quantico, and San Diego: Additional housing, storage, and recreation facilities, including buildings and accessories and facilities, and acquisition of land, \$3,500,000.

Naval research laboratory, Bellevue, District of Columbia: Additional research facilities, including buildings and accessories, \$309,000.

Floating drydock ARD-2: Accessory construction, including equipment and towing and mooring facilities, \$500,000.

Fifth Naval District: District communication center, including extension of underground service lines, replacement of administration building destroyed by fire on January 26, 1941, and additional officers' quarters, \$1,250,000.

Tenth Naval District: Acquisition, improvement, and development of Puerto Rican drydock, including berthing and limited repair facilities, \$2,500,000; bombproofing communication centers, bombproofed shelters for personnel, recreation facilities, and acquisition of land, \$650,000.

Eleventh Naval District: High frequency strategic direction finder station, including acquisition of land, \$80,000.

Fourteenth Naval District: Bombproofing communication centers, bombproof shelters for personnel, quarters for officers, recreation facilities, and acquisition of land, \$2,300,000.

Fifteenth Naval District: Bombproofing communication centers, bombproof shelters for personnel, quarters for officers and recreation facilities, \$1,340,000.

Naval radio station, Bainbridge Island, Washington: Radio transmitting station, including buildings and accessories, and acquisition of land, \$350,000.

The provisions of section 4 of the Act approved April 25, 1939 (53 Stat. 590-592), shall be applicable to all public-works and public-utilities projects provided in this title, regardless of location: *Provided*, That the fixed fee to be paid the contractor as a result of any contract hereafter entered into under the authority of the above-mentioned Act 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.

To enable the Secretary of the Navy to expedite the construction or provision of the public-works and public-utilities projects mentioned in this title, the limit of cost indicated for each of such projects may, in the discretion of the Secretary of the Navy, be varied upward or downward by an amount not to exceed 10 per centum, but the aggregate of all such limits of cost shall not be exceeded.

BUREAU OF AERONAUTICS

Aviation, Navy, including not to exceed \$459,000 for passenger-carrying motorbuses for air stations, \$96,382,300, and, in addition, the Secretary of the Navy may enter into contracts prior to July 1, 1941, for airplanes to an amount not in excess of \$15,000,000 and for plant facilities to an amount not in excess of \$15,000,000.

MARINE CORPS

Pay, Marine Corps, \$8,241,559.

General expenses, Marine Corps:

Provisions, \$2,095,000;

Clothing, \$2,800,000;

Fuel, \$191,050;

Military supplies and equipment, \$3,010,000;

Transportation of troops and recruiting, \$450,000;

Repairs and improvements to barracks, and so forth, \$195,000;

Miscellaneous supplies and expenses, \$1,880,000;

In all, general expenses, Marine Corps, \$10,621,050.

ALTERATIONS TO NAVAL VESSELS

Alterations to naval vessels, including defense installations on Government or privately owned merchant vessels, \$10,000,000, to remain available until expended; and, in addition, the Secretary of the Navy may enter into contracts prior to July 1, 1941, for the alterations to thirty-one auxiliaries authorized by the First and Second Supplemental National Defense Appropriation Acts, 1941, to an amount not in excess of \$58,000,000.

REPLACEMENT OF NAVAL VESSELS

Construction and machinery, including construction of small craft and the providing of facilities, tools, and equipment in accordance with the Act of January 31, 1941 (Public, Numbered 4), \$100,000,000, to remain available until expended; and, in addition, the Secretary of the Navy is authorized to incur obligations for tools, facilities, and equipment for building or equipping any complete naval vessel or portion thereof, but the total of obligations heretofore and hereafter incurred for such purpose shall not exceed the total amount authorized for such purpose by the Act of June 14, 1940 (Public, Numbered 629), the Act of July 19, 1940 (Public, Numbered 757), and the Act of January 31, 1941 (Public, Numbered 4): *Provided*, That no additional small craft shall be procured under the authority of the Act of June 26, 1940 (Public, Numbered 667): *Provided further*, That the unexpended balance, as of the last day of the month in which this Act is approved, of the appropriation provided under the head "Emergency Fund", in title III of the Naval Appropriation Act for the fiscal year 1941, and all outstanding obligations against that appropriation for rental, conversion, or construction, or acquisition and conversion of vessels are hereby transferred to the appropriation "Replacement of Naval Vessels, Construction and Machinery", which appropriation shall be available to complete the acquisition and conversion or construction of one hundred and thirty vessels already acquired or planned for acquisition under the authority contained under the appropriation "Emergency Fund".

Armor, armament, and ammunition, including the armor, armament, and ammunition for vessels hereinbefore described under the head of "Construction and Machinery" and the necessary tools, equipment, and facilities at naval establishments or private plants for the manufacture or production of ordnance material, munitions, and armor in accordance with the Act of January 31, 1941 (Public, Numbered 4), \$102,000,000, to remain available until expended; and, in addition, the Secretary of the Navy is authorized to incur obligations for tools, facilities, and equipment for the manufacture or production of ordnance material, munitions, and armor, but the total of obligations heretofore and hereafter incurred for such purpose shall not exceed the total amounts authorized for such purpose by the Act of June 14, 1940 (Public, Numbered 629), the Act of July 19, 1940 (Public, Numbered 757), and the Act of January 31, 1941 (Public, Numbered 4): *Provided*, That the Secretary of the Navy is authorized to transfer \$15,000,000 of the funds provided in title IV of the Naval Appropriation Act for the fiscal year 1941 under the head "Armor, Armament, and Ammunition", to the War Department for the War Department facilities for the manufacture of smokeless powder.

NAVY DEPARTMENT

Office of the Secretary of the Navy, salaries, \$10,000.

Hydrographic Office, contingent and miscellaneous expenses, \$120,000.

NAVAL EMERGENCY FUND

Naval emergency fund: For local and passive defense installations, and the rental, acquisition, and construction of section bases, station

ships, or barracks, and of training and defense facilities and equipment of all kinds, including the necessary purchase of land, \$10,000,000, to remain available until expended.

This title may be cited as "Title VI, Naval Appropriation Act for the fiscal year 1941".

TITLE III—CIVIL NATIONAL DEFENSE ACTIVITIES

INDEPENDENT AGENCIES

CIVIL SERVICE COMMISSION

National-defense activities: For an additional amount for salaries and expenses, fiscal year 1941, to be available only for investigational work in connection with national-defense activities, to be merged with funds allocated to the Commission for national-defense activities from the appropriations "Emergency Fund of the President" contained in the Military Appropriation Act, 1941, and the Act making appropriations for the Navy Department for the fiscal year 1941, \$125,000.

SEC. 2. No part of any appropriation contained in this Act shall be expended for a permanent type of construction at any military or naval shore establishment of any character acquired subsequently to the calendar year 1938, unless such establishment shall be designated by the Secretary of the Navy or the Secretary of War (whichever has jurisdiction), 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 or the Secretary of War, respectively, may approve: *Provided*, That nothing herein shall prevent construction of a type sufficiently substantial for the use intended: *Provided further*, That this section shall not apply to construction now under contract or in progress.

SEC. 3. 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 contained 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 penal clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 4. This Act may be cited as the "Fourth Supplemental National Defense Appropriation Act, 1941".

Approved, March 17, 1941.



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