

## [CHAPTER 25]

## AN ACT

February 12, 1940  
[H. R. 4532]  
[Public, No. 414]

To make effective in the District Court of the United States for Puerto Rico rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States.

District Court of the  
United States for  
Puerto Rico.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a new section be inserted in the Act entitled "An Act to provide a civil government for Porto Rico, and for other purposes", approved March 2, 1917 (39 Stat. 951), as amended, immediately following section 49 thereof, to read as follows:

39 Stat. 967.  
48 U. S. C. § 873.

Rules of civil procedure, etc., in U. S. district courts made applicable to.

"49a. That the rules heretofore or hereafter promulgated and made effective by the Supreme Court of the United States under authority of the Act approved June 19, 1934 (48 Stat. 1064; U. S. C., title 28, secs. 723b, 723c), or under authority of any other statute, regulating the forms of process, writs and motions, and the pleadings, practice, and procedure, in actions of a civil nature in the district courts of the United States, and regulating appeals therefrom, shall apply to the District Court of the United States for Puerto Rico and to appeals therefrom."

Effective date.

SEC. 2. This Act shall become effective March 1, 1940.

Approved, February 12, 1940.

## [CHAPTER 27]

## AN ACT

February 12, 1940  
[H. R. 7805]  
[Public, No. 415]

Making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes.

Emergency Supplemental Appropriation Act, 1940.

*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 Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes, namely:

## TITLE I—WAR DEPARTMENT

## SALARIES, WAR DEPARTMENT

Temporary employees, designated offices.  
52 Stat. 392, 992,  
1327.

For an additional amount for compensation for personal services in the District of Columbia, for temporary employees, as follows:

Office of Secretary of War, \$4,025.

Adjutant General's office, \$52,685.

Office of the Chief of Finance, \$30,949.

Office of the Quartermaster General, \$27,900.

Office of Chief of Infantry, \$960.

In all, salaries, War Department, \$116,519.

Salary restriction.

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

In expending appropriations or portions of appropriations contained in each title of this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often

Exception.

than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

*Proviso.*  
Restriction not applicable in designated cases.

42 Stat. 1490.  
5 U. S. C. § 666.

#### OFFICE OF THE SECRETARY

##### CONTINGENT EXPENSES, WAR DEPARTMENT

For an additional amount for contingent expenses, War Department, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$44,600.

Department contingent expenses.

53 Stat. 594.

##### PRINTING AND BINDING, WAR DEPARTMENT

For an additional amount for printing and binding for the War Department, except such as may be otherwise provided for in accordance with existing law, \$290,160.

Printing and binding.

53 Stat. 594.

#### MILITARY ACTIVITIES

##### GENERAL STAFF CORPS

##### MILITARY INTELLIGENCE ACTIVITIES

For an additional amount for military intelligence activities, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$25,000.

Military intelligence activities.

53 Stat. 595.

##### FIELD EXERCISES

For an additional amount for the conduct of special field exercises, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$15,000,000, to remain available until June 30, 1941: *Provided*, That this appropriation may be used for troop movements and travel of personnel of the Regular Army in connection with field exercises, including special combat training for small units; for rental of land or purchase of options to rent land without reference to section 3648 of the Revised Statutes; for the use or repair of private property; and settlement of claims (not exceeding \$500 in any one case) for damages to or loss of private property resulting from such exercises, heretofore or hereafter accrued, when payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and when each claim is substantiated in such manner as the Secretary of War may prescribe by regulation and is approved by the Secretary of War, or by such officer as he may designate, such action thereon to be conclusive.

Special field exercises.

53 Stat. 595.

*Proviso.*  
Availability.

Rent, etc.  
31 U. S. C. § 529.

Private property damage claims.

#### ADJUTANT GENERAL'S DEPARTMENT

##### WELFARE OF ENLISTED MEN

For an additional amount for welfare of enlisted men, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$33,938.

Welfare of enlisted men.

53 Stat. 596.

## FINANCE DEPARTMENT

## PAY OF THE ARMY

Pay of the Army. For an additional amount for pay of the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$12,714,196: *Provided*, That this appropriation shall not be subject to the limitations as to numbers of commissioned officers and enlisted men specified under this head in such Act.

53 Stat. 596.  
*Proviso.*  
Certain limitations  
waived.

## TRAVEL OF THE ARMY

Travel of the Army. For an additional amount for travel of the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, including travel of dependents of retired personnel when ordered to active duty and upon relief therefrom, \$2,724,444.

53 Stat. 597.

## FINANCE SERVICE

Personal services. For an additional amount for compensation of clerks and other employees of the Finance Department, \$93,874.

53 Stat. 599.

## QUARTERMASTER CORPS

Subsistence of the Army. Subsistence of the Army: For an additional amount for subsistence of the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$2,737,488.

53 Stat. 599.

Regular supplies of the Army. Regular supplies of the Army: For an additional amount for regular supplies of the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$1,201,641.

53 Stat. 600.

Clothing and equipage. Clothing and equipage: For an additional amount for clothing and equipage for the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$5,550,199.

53 Stat. 600.

Incidental expenses. Incidental expenses of the Army: For an additional amount for incidental expenses of the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$552,856.

53 Stat. 601.

Army transportation. Army transportation: For an additional amount for Army transportation, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$21,962,564, such sum to be available for packing, crating, and transportation of authorized baggage and household effects of retired personnel when ordered to active duty and upon relief therefrom, and for the purchase (not exceeding

53 Stat. 601.

\$2,000,000) of passenger-carrying vehicles.

Vehicles.

## HORSES, DRAFT AND PACK ANIMALS

Purchase, etc. For an additional amount for the purchase of draft and pack animals and horses, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$15,000.

53 Stat. 602.

## MILITARY POSTS

Construction, etc., at designated posts. For an additional amount to be added to the appropriation "Construction of Buildings, Utilities, and Appurtenances at Military Posts," contained in the Military Appropriation Act, 1940, \$611,800, to be applied as follows: For temporary shelter, Air Corps, Puerto Rico, \$319,000; temporary hangar, Air Corps, Panama, \$92,800; additional amount for housing for shop testing facilities, Chanute Field, Illinois, \$200,000.

53 Stat. 602, 994, 1327.

## ACQUISITION OF LAND

McChord Field, Wash. For the acquisition of approximately two hundred thousand acres as a bombing area for use in connection with McChord Field, Washington, \$200,000; for the acquisition of approximately forty-

eight thousand acres as a bombing area in connection with Hamilton Field, California, \$150,000; and for the acquisition of approximately eight hundred acres in Puerto Rico for the establishment of a general depot and cantonment area and the enlargement of Camp Buchanan, as authorized in the Acts of July 2, 1917, and April 11, 1918 (50 U. S. C. 171), \$200,000; in all, \$550,000, to remain available until expended.

Hamilton Field,  
Calif.

Puerto Rico.  
Camp Buchanan.  
40 Stat. 241, 518.

#### BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

For an additional amount for barracks and quarters and other buildings and utilities, comprising the same objects specified under this head in the Military Appropriation Act, 1940, including general overhead expenses of transportation, engineering, supplies, inspection, and supervision, \$9,750,000.

Construction, etc.

53 Stat. 603.

#### CONSTRUCTION AND REPAIR OF HOSPITALS

For an additional amount for construction and repair of hospitals comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$750,000.

Construction and  
repair of hospitals.  
53 Stat. 604.

#### SIGNAL CORPS

##### SIGNAL SERVICE OF THE ARMY

For an additional amount for signal service of the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$1,761,998.

Expenses.

53 Stat. 604.

#### AIR CORPS

##### AIR CORPS, ARMY

For an additional amount for Air Corps, Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$1,787,358, of which not to exceed \$262,000 shall remain available until June 30, 1941: *Provided*, That the Secretary of War is authorized to sell to civilian flying schools at which flying cadets are being given flying training under the provisions of the Act of April 3, 1939 (53 Stat. 555), and under contracts which require such schools to maintain and repair Army airplanes furnished them for this purpose, such spare parts and accessories as may be needed for such repair, at a price, free on board shipping point, not in excess of the contract cost of such materials to the Government, plus the cost of packing and handling.

Designated objects.  
53 Stat. 605.

*Proviso.*  
Sales to certain ci-  
vilian flying schools.

#### MEDICAL DEPARTMENT

##### ARMY

##### MEDICAL AND HOSPITAL DEPARTMENT

For an additional amount for Medical and Hospital Department, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$1,389,128.

Expenses.

53 Stat. 607.

##### HOSPITAL CARE, CANAL ZONE GARRISONS

For an additional amount for hospital care, Canal Zone garrisons, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$30,000.

Expenses.

53 Stat. 607.

## CORPS OF ENGINEERS

## ENGINEER SERVICE, ARMY

Designated objects. For an additional amount for Engineer Service, Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$2,000,000, to remain available until June 30, 1941.

53 Stat. 608.

## ORDNANCE DEPARTMENT

## ORDNANCE SERVICE AND SUPPLIES, ARMY

Ordnance service and supplies. For an additional amount for ordnance service and supplies, Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, and including pay and allowances of Ordnance Reserve officers and Specialist Reserve officers ordered to active duty to carry out the purposes of this appropriation, \$5,625,055.

53 Stat. 608.

Pay and allowances.

## CHEMICAL WARFARE SERVICE

Expenses. For an additional amount for Chemical Warfare Service, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$73,885.

53 Stat. 609.

## CHIEF OF INFANTRY

## INFANTRY SCHOOL, FORT BENNING, GEORGIA

Instruction expenses. For an additional amount for the Infantry School, Fort Benning, Georgia, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$960.

53 Stat. 609.

## CHIEF OF CAVALRY

## INSTRUCTION IN CAVALRY ACTIVITIES

Instruction expenses. For an additional amount for instruction in cavalry activities, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$960.

53 Stat. 609.

## CHIEF OF COAST ARTILLERY

## COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA

Instruction expenses. For an additional amount for the Coast Artillery School, Fort Monroe, Virginia, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$2,880.

53 Stat. 610.

## NATIONAL GUARD

## ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD

Care of materials, animals, etc. For an additional amount for compensation of help for care of materials, animals, and equipment, including the compensation of employees engaged upon Federal property custodial and accounting work in the offices of property and disbursing officers for the United States, \$15,700.

Camps of instruction.

53 Stat. 611.

For an additional amount for expenses, camps of instruction, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$4,583,752.

Service schools.

For an additional amount for expenses, selected officers and enlisted men, military service schools, \$505,825.

Equipment and instruction.

53 Stat. 611.

For an additional amount for general expenses, equipment, and instruction, National Guard, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$175,641.

For an additional amount for travel of officers, warrant officers, and enlisted men of the Regular Army detailed to, or while on duty with, the National Guard, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$32,186.

For an additional amount for transportation of equipment and supplies, \$181,179.

For an additional amount for pay of National Guard (armory drills), \$5,469,962.

No part of the appropriations contained in this title shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the National Guard who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his service in the National Guard: *Provided further*, That adjutants general who may be drawing such emoluments may be continued in a federally recognized status without pay under this provision.

Travel, Army officers, etc.

53 Stat. 612.

Transportation of equipment, etc.

Pay, armory drills.

Not available for pay, etc., of officer drawing pension.

Provisos. Surrender of pension.

Adjutants general, continuation in present status without pay.

#### ARMS, UNIFORMS, EQUIPMENT, AND SO FORTH, FOR FIELD SERVICE, NATIONAL GUARD

For an additional amount for arms, uniforms, equipment, and so forth, for field service, National Guard, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$7,218,087, and all of the sums appropriated in this title on account of the National Guard shall be accounted for as one fund, of which not to exceed \$15,000 may be used for the pay of employees in the National Guard Bureau.

No appropriation contained in this title shall be available for any expense for or on account of a larger number of mounted units and wagon companies of the National Guard than were in existence on June 30, 1932.

Procurement, etc.

53 Stat. 612.

Mounted units, etc., restriction.

#### ORGANIZED RESERVES

For an additional amount for Organized Reserves, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$3,617,282: *Provided*, That this appropriation shall not be subject to the limitations as to Reserve officers on active duty specified under this head in the Military Appropriation Act, 1940: *Provided further*, That not to exceed \$80,000 of this appropriation may be used for establishment, operation, and maintenance of Organized Reserve headquarters: *Provided further*, That the mileage allowance to members of the Officers Reserve Corps when called into active service for training for thirty days or less shall not exceed 4 cents per mile.

Designated objects.

53 Stat. 613.

Provisos. Certain limitations waived.

53 Stat. 615.

Organized Reserve headquarters.

Mileage allowance.

#### RESERVE OFFICERS' TRAINING CORPS

For an additional amount for Reserve Officers' Training Corps, comprising the same objects specified under this head in the Military Appropriation Act, 1940, and including travel of dependents, and packing, crating, and transportation of authorized baggage and household effects of retired personnel when ordered to active duty and upon relief therefrom, \$220,572.

Expenses.

53 Stat. 615.

Not available for pay, etc., of officer drawing pension.

*Proviso.*  
Surrender of pension.

Restriction on personnel employment.

Philip B. Fleming, appointment to civil office authorized.

Salary.

No appropriation contained in this title shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the Reserve Corps who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his active duty in the Reserve Corps.

SEC. 2. The appropriations contained in this title under the general heading "Military Activities," shall not be available for the employment other than temporarily of classified personal services.

SEC. 3. Notwithstanding the provisions of section 1222 of the Revised Statutes (U. S. C., title 10, sec. 576), Philip B. Fleming, a commissioned officer on the active list, United States Army, is authorized to hold the office of Administrator of the Wage and Hour Division in the Department of Labor without loss of or prejudice to his status as a commissioned officer on the active list of the United States Army and if appointed to such civil office he shall receive in addition to his pay and allowances as such commissioned officer an amount equal to the difference between such pay and allowances as such commissioned officer and the salary prescribed by law for such civil office.

## TITLE II—NAVY DEPARTMENT

### NAVAL ESTABLISHMENT

#### OFFICE OF THE SECRETARY

#### MISCELLANEOUS EXPENSES

Miscellaneous expenses.

53 Stat. 757.

Group IV (b) employees.

For an additional amount for miscellaneous expenses comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$685,000, of which there shall be available not to exceed \$200,000 for telephone, telegraph, and teletype rentals and tolls, telegrams, radiograms, and cablegrams; \$4,000 for allowances for civilian employees in attachés' offices; and \$176,400 for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

### BUREAU OF NAVIGATION

#### TRAINING, EDUCATION, AND WELFARE, NAVY

Naval training stations.

53 Stat. 760.

San Diego, Calif.

Newport, R. I.

Great Lakes, Ill.

Naval training stations: For an additional amount for maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow:

San Diego, California, \$86,000;

Newport, Rhode Island, \$135,000, of which not to exceed \$960 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department;

Great Lakes, Illinois, \$80,000, of which not to exceed \$3,600 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien

schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department;

Norfolk, Virginia, \$60,600;

Libraries: For an additional amount for libraries, professional books, textbooks, religious books, periodicals, and newspaper subscriptions for ships and shore stations not otherwise appropriated for, \$76,600;

Welfare and recreation: For an additional amount for welfare and recreation, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$400,000;

In all, training, education, and welfare, Navy, \$838,200.

Norfolk, Va.  
Libraries.  
53 Stat. 760.

Welfare and recreation.  
53 Stat. 760.

#### INSTRUMENTS AND SUPPLIES, NAVY

For an additional amount for instruments and supplies, Navy, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$750,000.

Instruments and supplies.  
53 Stat. 761.

#### OCEAN AND LAKE SURVEYS, NAVY

For an additional amount for ocean and lake surveys, Navy, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$5,000.

Hydrographic surveys.  
53 Stat. 762.

#### NAVAL RESERVE

For an additional amount for the Naval Reserve, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$2,281,000, to be available, in addition to other appropriations, for and on account of Naval and Marine Corps Reserve Aviation.

Organizing, recruiting, etc.  
53 Stat. 762.

#### BUREAU OF ENGINEERING

##### ENGINEERING

For an additional amount for Engineering, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$18,363,000, of which not to exceed \$100,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

Repairs, preservation of machinery, etc.  
53 Stat. 764.

#### BUREAU OF CONSTRUCTION AND REPAIR

##### CONSTRUCTION AND REPAIR

For an additional amount for Construction and Repair, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$14,969,000, of which not to exceed \$145,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

Construction and repair.  
53 Stat. 765.

#### BUREAU OF ORDNANCE

##### ORDNANCE AND ORDNANCE STORES, NAVY

For an additional amount for Ordnance and Ordnance Stores, Navy, comprising the same objects specified under this head in the Navy

Ordnance and ordnance stores.



53 Stat. 765.

Department and Naval Service Appropriation Act, fiscal year 1940, \$30,260,000, and, in addition, the Secretary of the Navy may enter into contracts prior to July 1, 1940, for the purposes of this appropriation, to an amount not in excess of \$2,450,000.

#### BUREAU OF SUPPLIES AND ACCOUNTS

##### PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

Pay of naval personnel.

53 Stat. 766.

Aerial flights.

Pay of naval personnel: For an additional amount for pay and allowances of naval personnel, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$13,957,459, of which \$763,890 shall be in addition to the amount named in such Act for increased pay for making aerial flights, and \$11,393 for cash prizes for men for excellence in gunnery, target practices, communication, and engineering competitions: *Provided*, That the number of chief petty officers for the fiscal year 1940, in addition to chief petty officers of the Naval Reserve called to active duty, shall not exceed an average of 11,140 of which number those with a permanent appointment as chief petty officers shall not exceed an average of 9,731: *Provided further*, That the number of men who may be designated by the Secretary of the Navy for duty in the residence or quarters of naval officers is hereby increased from forty to forty-four;

*Provides.*  
Chief petty officers,  
number.

Household servants.

Subsistence.

Subsistence of naval personnel: For an additional amount for subsistence of naval personnel, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$2,580,797;

53 Stat. 767.  
Transportation and  
recruiting.

53 Stat. 768.

Transportation and recruiting of naval personnel: For an additional amount for transportation and recruiting of naval personnel, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$1,376,744;

In all, for pay, subsistence, and transportation of naval personnel, \$17,915,000.

##### MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

Maintenance.

53 Stat. 769.

For an additional amount for maintenance, Bureau of Supplies and Accounts, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$1,785,000, of which not to exceed \$600,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

##### FUEL AND TRANSPORTATION, NAVY

Fuel and transportation.

53 Stat. 770.

For an additional amount for fuel and transportation, Navy, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$2,065,000.

#### BUREAU OF MEDICINE AND SURGERY

##### MEDICAL DEPARTMENT

Medical department.

53 Stat. 770.

For an additional amount for the medical department, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$592,000, of which not to exceed \$15,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

## CARE OF THE DEAD

For an additional amount for care of the dead, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$14,000.

Care of the dead.

53 Stat. 771.

## BUREAU OF YARDS AND DOCKS

## MAINTENANCE, BUREAU OF YARDS AND DOCKS

For an additional amount for maintenance, Bureau of Yards and Docks, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, and including the purchase of four motor-propelled passenger-carrying vehicles at a cost not to exceed \$600 each, \$871,000.

Maintenance.

53 Stat. 771.

## CONTINGENT, BUREAU OF YARDS AND DOCKS

For an additional amount for contingent expenses and minor extensions and improvements of public works at navy yards and stations, \$50,000.

Contingent ex-  
penses.

53 Stat. 772.

## PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

For an additional amount, to be added to the appropriation "Public Works, Bureau of Yards and Docks," for temporary buildings and facilities for personnel, storage, and operation of ships and aircraft, \$7,000,000, of which amount not to exceed 2½ per centum shall be available for the employment of classified personal services in the Bureau of Yards and Docks and in the field service.

Public works, etc.  
53 Stat. 772.

## BUREAU OF AERONAUTICS

## AVIATION, NAVY

For an additional amount for aviation, Navy, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$28,661,000.

Designated ex-  
penses.

53 Stat. 774.

## MARINE CORPS

## PAY, MARINE CORPS

Pay of officers, active list: The amount named under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, for increased pay for making aerial flights, is hereby increased by \$21,000;

Officers, active list.

53 Stat. 775.

For pay of officers prescribed by law on the retired list, \$107,800;

Retired officers.

Pay of enlisted men, active list: For an additional amount for pay of enlisted men, active list, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$2,128,948;

Enlisted men, ac-  
tive list.

53 Stat. 775.

For an additional amount for pay and allowances of the Marine Corps Reserve, \$553,572;

Marine Corps Re-  
serve.

For an additional amount for mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$31,680;

Officers traveling  
under orders without  
troops.

53 Stat. 776.

In all, \$2,822,000, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

Disbursement and  
accounting.

## PAY OF CIVIL EMPLOYEES, MARINE CORPS

<p>Civil force. 53 Stat. 776.</p>	<p>Pay of civil force: For an additional amount for personal services in the District of Columbia, for temporary employees, as follows:          Offices of the Major General Commandant and adjutant inspector, \$19,200;          Office of the paymaster, \$4,320;          Office of the quartermaster, \$17,280; in all, \$40,800.</p>
GENERAL EXPENSES, MARINE CORPS	
<p>General expenses. 53 Stat. 776. <i>Post</i>, p. 648.</p>	<p>For every expenditure requisite for, and incident to, the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:</p>
<p>Provisions, etc. 53 Stat. 776.</p>	<p>For an additional amount for provisions, subsistence, board, and lodging of enlisted men, recruits and recruiting parties, and applicants for enlistment; cash allowance for lodging and subsistence to enlisted men traveling on duty; ice, ice machines and their maintenance, \$672,328;</p>
<p>Clothing. Fuel, etc.</p>	<p>For an additional amount for clothing for enlisted men, \$1,500,000;          For an additional amount for fuel, heat, light, and power, including sales to officers, \$125,000;</p>
<p>Military supplies and equipment. 53 Stat. 776.</p>	<p>For an additional amount for military supplies and equipment, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$2,474,500;</p>
<p>Transportation.  53 Stat. 776.</p>	<p>For an additional amount for transportation of troops and applicants for enlistment, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$300,000;</p>
<p>Barracks, repairs and improvements.  53 Stat. 777.</p>	<p>For an additional amount for repairs and improvements to barracks, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$633,172, of which not to exceed \$600,000 shall be available for the construction of temporary buildings;</p>
<p>Miscellaneous supplies, etc.  53 Stat. 777. <i>Proviso</i>. Limitation.</p>	<p>For an additional amount for miscellaneous supplies, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$895,000;          In all, \$6,600,000, to be accounted for as one fund: <i>Provided</i>, That the sum to be paid out of this additional appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$85,000.</p>

## NAVY DEPARTMENT

## SALARIES

<p>Temporary employees. 53 Stat. 779.</p>	<p>em- For an additional amount for compensation for personal services in the District of Columbia, for temporary employees, as follows:          Office of the Secretary of the Navy, \$2,613;          Office of Judge Advocate General, \$4,000;          Office of Chief of Naval Operations, \$5,040;          Office of Director of Naval Communications, \$18,415;          Office of Naval Intelligence, \$21,000;          Bureau of Navigation, \$49,280;          Hydrographic Office, \$25,000;          Naval Observatory, \$7,070;          Bureau of Supplies and Accounts, \$67,120;          Bureau of Medicine and Surgery, \$31,500;          In all, salaries, Navy Department, \$231,038.</p>
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## CONTINGENT EXPENSES

For an additional amount for Contingent Expenses, Navy Department, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$85,000.

Contingent ex-  
penses.

53 Stat. 780.

## PRINTING AND BINDING

For an additional amount for printing and binding for the Navy Department and the Naval Establishment (including the Hydrographic Office and the Naval Reserve Officers' Training Corps) executed at the Government Printing Office, \$263,000.

Printing and bind-  
ing.

53 Stat. 781.

## CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

For an additional amount for contingent and miscellaneous expenses, Hydrographic Office, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$25,000.

Contingent and mis-  
cellaneous expenses.

53 Stat. 781.

## CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

For an additional amount for contingent and miscellaneous expenses, Naval Observatory, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$1,200.

Contingent and mis-  
cellaneous expenses.

53 Stat. 782.

SEC. 202. The Secretary of the Navy is hereby authorized to acquire and convert one transport.

Acquisition, etc., of  
one transport.

SEC. 203. The Secretary of the Navy is authorized to exceed the statutory limit on repairs and alterations to vessels commissioned or converted to meet the existing emergency.

Emergency repairs  
and alterations.

SEC. 204. The appropriations contained in this title under the general heading "Naval Establishment," shall not be available for the employment other than temporarily of classified personal services.

Restriction on per-  
sonnel employment.

## TITLE III—DEPARTMENT OF JUSTICE

## FEDERAL BUREAU OF INVESTIGATION

Salaries and expenses, detection and prosecution of crimes: For an additional amount for salaries and expenses, Federal Bureau of Investigation, including the same objects and under the same conditions specified under this head in the Department of Justice Appropriation Act, 1940, \$1,475,000, of which amount not to exceed \$100,000 may be expended for personal services in the District of Columbia; \$75,000 for the purchase and exchange of motor-propelled passenger-carrying vehicles; and \$100,000 to meet unforeseen emergencies of a confidential character.

Detection and prose-  
cution of crimes.  
*Post*, p. 88.

53 Stat. 897.

Vehicles.

## TITLE IV—TREASURY DEPARTMENT

## COAST GUARD

For additional amounts for appropriations for the Coast Guard (including the Bureau of Lighthouses transferred under the authority of the Reorganization Act of 1939), including the same objects and subject to the same limitations specified under the several heads in the "Treasury Department Appropriation Act, 1940" and under the head "Bureau of Lighthouses \* \* \* general expenses",

Expenses.

53 Stat. 561, 1432.  
5 U. S. C., Supp. V,  
§§ 133-133t.  
53 Stat. 663.

53 Stat. 913.	in the "Department of Commerce Appropriation Act, 1940", respectively, as follows:
Office of Commandant. 53 Stat. 663. Pay and allowances. 53 Stat. 664. Post, p. 91.	Office of the Commandant: For personal services in the District of Columbia, for temporary employees, \$43,701; Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks, surfmen, substitute surfmen, and three civilian instructors, retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (14 U. S. C. 178a), and so forth, \$2,263,000;
Retired members, former Life Saving Service. 46 Stat. 164.	Fuel and water: For fuel, lubricating oil, kerosene, and water, and for the furnishing of heat, light, and power (service) for vessels, stations, and houses of refuge, \$250,000;
Fuel and water. 53 Stat. 664.	Outfits: For outfits, including necessary supplies and equipment, medals, newspapers, and periodicals for statistical purposes, rental of mechanical accounting machinery, repairs to portable equipment at shore units, ship chandlery, engineers' stores, and draft animals and their maintenance, \$768,188;
Outfits, etc. 53 Stat. 664.	Rebuilding and repairing stations: For rebuilding and repairing stations and houses of refuge, temporary leases, rent, and improvements of property for Coast Guard purposes, including use of additional land where necessary, \$95,000;
Station improvements. 53 Stat. 664.	Communication lines: For coastal communication lines and facilities and their maintenance, and communication service, \$125,000;
Communication lines. 53 Stat. 664. Repairs to vessels. 53 Stat. 665.	Repairs to vessels: For repairs to Coast Guard vessels and boats, exclusive of aircraft, including cost of salvage operations when incident to the repairs thereof, \$650,000;
Proviso. Aviation expenses, limitation increased. 53 Stat. 665.	In all, \$4,194,889: <i>Provided</i> , That the limitation of \$2,200,000 which may be expended for aviation contained in said Treasury Department Appropriation Act under "Coast Guard" is hereby increased to \$2,435,000.
Lighthouse Service, general expenses. 53 Stat. 913. Post, p. 91.	Lighthouse Service (Bureau of Lighthouses), general expenses: For supplies, including replacement of and necessary additions to existing equipment, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks, and purchase of land for same; establishment of post lights, buoys, submarine signals, and fog signals; construction of necessary outbuildings, and so forth, \$81,960.

## TITLE V—DEPARTMENT OF AGRICULTURE

### PRICE ADJUSTMENT ACT OF 1938

Payments.  53 Stat. 974. 52 Stat. 819.	SEC. 501. Not to exceed \$11,000,000 of the funds appropriated by the item entitled "Parity Payments" contained in the Department of Agriculture Appropriation Act, 1940, are hereby made available for the purpose of making payments under the "Price Adjustment Act of 1938".
Short title.	SEC. 502. This Act may be cited as the "Emergency Supplemental Appropriation Act, 1940".
	Approved, February 12, 1940.

## [CHAPTER 28]

## AN ACT

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes.

February 12, 1940  
[H. R. 8067]  
[Public, No. 416]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes, namely:

Urgent Deficiency  
Appropriation Act,  
1940.

## LEGISLATIVE

## SENATE

For payment to Mary Borah, widow of William E. Borah, late a Senator from the State of Idaho, \$10,000.

William E. Borah.  
Payment to widow.

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, fiscal year 1940, \$23,700.

Senate kitchens and  
restaurants, etc.  
53 Stat. 825.

## HOUSE OF REPRESENTATIVES

To pay the widow of William A. Ashbrook, late a Representative from the State of Ohio, \$10,000.

William A. Ashbrook.  
Payment to widow.  
Chester C. Bolton.  
Payment to widow.

To pay the widow of Chester C. Bolton, late a Representative from the State of Ohio, \$10,000.

To pay the widow of Edward W. Curley, late a Representative from the State of New York, \$10,000.

Edward W. Curley.  
Payment to widow.

To pay the widow of George H. Heinke, late a Representative from the State of Nebraska, \$10,000.

George H. Heinke.  
Payment to widow.

To pay the widow of Santiago Iglesias, late a Resident Commissioner from Puerto Rico, \$10,000.

Santiago Iglesias.  
Payment to widow.

To pay the widow of Carl E. Mapes, late a Representative from the State of Michigan, \$10,000.

Carl E. Mapes.  
Payment to widow.

To pay the widow of John A. Martin, late a Representative from the State of Colorado, \$10,000.

John A. Martin.  
Payment to widow.

To pay the daughter of Wallace E. Pierce, late a Representative from the State of New York, \$10,000.

Wallace E. Pierce.  
Payment to daughter.

To pay the widow of J. Will Taylor, late a Representative from the State of Tennessee, \$10,000.

J. Will Taylor.  
Payment to widow.

The foregoing sums to be disbursed by the Sergeant at Arms of the House of Representatives.

Contingent expenses: For furniture and materials for repairs of same, exclusive of labor, tools and machinery, for furniture and repair shops, fiscal year 1940, \$10,000.

Furniture, etc.  
53 Stat. 829.

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1940, fiscal year 1940, \$15,000.

Miscellaneous  
items.

53 Stat. 829.

For stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, for the third session of the Seventy-sixth Congress, \$87,600.

Stationery.  
53 Stat. 830.

## ARCHITECT OF THE CAPITOL

Senate Office Building: To reimburse the maintenance fund of the Senate Office Building for the fiscal year 1940 for necessary emergency expenditures for desks, chairs, stands, tables, and other equipment

Additional equip-  
ment and supplies.  
53 Stat. 832.