

from June 1, 1937, to May 31, 1937, inclusive, but shall not include (except where used in conjunction with the word "emergency" or the words "however necessitated") replacements made necessary by any act of God, or of the public enemy, or by any major catastrophe; and

"Year of operation" shall mean the period from and including June 1 of any calendar year to and including May 31 of the following calendar year.

SEC. 13. The Secretary of the Interior shall, in January of each year, submit to the Congress a financial statement and a complete report of operations under this Act during the preceding year of operation as herein defined.

SEC. 14. Nothing herein shall be construed as interfering with such rights as the States now have either to the waters within their borders or to adopt such policies and enact such laws as they may deem necessary with respect to the appropriation, control, and use of waters within their borders, except as modified by the Colorado River compact or other interstate agreement. Neither the promulgation of charges, or the basis of charges, nor anything contained in this Act, or done thereunder, shall in anywise affect, limit, or prejudice any right of any State in or to the waters of the Colorado River system under the Colorado River compact. Sections 13 (b), 13 (c), and 13 (d) of the Project Act and all other provisions of said Project Act not inconsistent with the terms of this Act shall remain in full force and effect.

SEC. 15. All laborers and mechanics employed in the construction of any part of the project, or in the operation, maintenance, or replacement of any part of the Boulder Dam, shall be paid not less than the prevailing rate of wages or compensation for work of a similar nature prevailing in the locality of the project. In the event any dispute arises as to what are the prevailing rates, the determination thereof shall be made by the Secretary of the Interior, and his decision, subject to the concurrence of the Secretary of Labor, shall be final.

SEC. 16. This Act may be cited as "Boulder Canyon Project Adjustment Act".

Approved, July 19, 1940.

"Year of operation."

Report, etc., to Congress.

Noninterference with designated State rights, etc.

45 Stat. 1064.
43 U. S. C. § 6172
(b), (c), (d).

Wage rates for laborers, etc.

Short title.

[CHAPTER 644]

AN ACT

To establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

July 19, 1940
[H. R. 10100]
[Public, No. 757]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authorized composition of the United States Navy in under-age vessels as established by the Acts of May 17, 1938 (52 Stat. 401), and June 14, 1940, Public Law Numbered 629, Seventy-sixth Congress, is hereby further increased by one million three hundred and twenty-five thousand tons, as follows:

Navy.
Under-age vessels.

34 U. S. C., Supp. V,
§§ 498-498k.
Ante, p. 394.

- (a) Capital ships, three hundred and eighty-five thousand tons;
- (b) Aircraft carriers, two hundred thousand tons;
- (c) Cruisers, four hundred and twenty thousand tons;
- (d) Destroyers, two hundred and fifty thousand tons;
- (e) Submarines, seventy thousand tons: *Provided*, That each of

the foregoing increases in tonnages for capital ships, aircraft carriers, cruisers, destroyers, and submarines may be varied upward

Proviso.
Variance of tonnage.

or downward in the amount of 30 per centum of the total increased tonnage authorized herein so long as the sum of the total increases in tonnages of these classes as authorized herein is not exceeded.

Construction.
34 U. S. C. §§ 494-497; Supp. V, § 496.

SEC. 2. The President of the United States is hereby authorized to construct such vessels, including replacements authorized by the Act of March 27, 1934 (48 Stat. 503), as may be necessary to provide the total under-age composition authorized in section 1 of this Act.

Appropriations authorized.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this Act, including not to exceed \$150,000,000 for essential equipment and facilities at either private or naval establishments for building or equipping any complete naval vessel or portion thereof herein or heretofore authorized, \$65,000,000 for essential equipment and facilities for the manufacture of ordnance material or munitions at either private or naval establishments, and \$35,000,000 for the expansion of facilities for the production of armor at either private or naval establishments. The authority herein granted for essential equipment and facilities, and for the expansion of facilities, shall include the authority to acquire lands at such locations as the Secretary of the Navy with the approval of the President may deem best suited to the purpose, erect buildings, and acquire the necessary machinery and equipment.

Authority to acquire lands.

SEC. 4. The allocation and contracts for construction of the vessels herein authorized shall be in accordance with the terms and conditions provided by the Act of March 27, 1934 (48 Stat. 503), as amended.

34 U. S. C. §§ 494-497; Supp. V, § 496.

Acquisition of patrol and auxiliary vessels, etc., authorized.

SEC. 5. The President of the United States is hereby further authorized to acquire and convert or to undertake the construction of—

(a) Patrol, escort, and miscellaneous craft at a total cost not to exceed \$50,000,000; and

(b) One hundred thousand tons of auxiliary vessels of such size, type, and design as he may consider best suited for the purposes of national defense.

Aircraft production.
34 U. S. C. § 495.

SEC. 6. The provisions of the Act of March 27, 1934 (48 Stat. 504), requiring not less than 10 per centum of the aircraft, including the engines therefor, procured subsequent to that Act to be constructed or manufactured in Government aircraft factories or other plants or factories owned and operated by the United States Government, shall not operate to curtail procurement so long as production at the said Government plants and factories is maintained at the limit of their capacity as determined by the Secretary of the Navy.

Disposal of vessels, etc., of Navy.

SEC. 7. No vessel, ship, or boat (except ships' boats) now in the United States Navy or being built or hereafter built therefor shall be disposed of by sale or otherwise, or be chartered or scrapped, except as now provided by law.

Acquisition, etc., of naval airplanes and equipment.
Ante, pp. 394, 400.

SEC. 8. The President of the United States is hereby authorized to acquire or construct naval airplanes, and spare parts and equipment, as may be necessary to provide and maintain the number of useful naval airplanes at a total of fifteen thousand: *Provided*, That if, in the judgment of the Secretary of the Navy, the total number of airplanes authorized herein is not sufficient to meet the needs of the national defense, he may, with the approval of the President, make such plans for procurement as the situation may demand.

Proviso.
Procurement of additional airplanes.

Approved, July 19, 1940.

[CHAPTER 647]

AN ACT

To provide for the rank and title of lieutenant general of the Regular Army in the military departments of Panama and Hawaii.

July 31, 1940
[S. 3200]
[Public, No. 758]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the rank and title of lieutenant general of the Regular Army", approved August 5, 1939, is hereby amended to include the major generals of the Regular Army specifically assigned by the Secretary of War to command the Panama Canal and Hawaiian Departments.

Regular Army.
Lt. gen., Panama
and Hawaii.
53 Stat. 1214.
10 U. S. C., Supp.
V, § 482b.

Approved, July 31, 1940.

[CHAPTER 648]

JOINT RESOLUTION

Making an additional appropriation for the Tennessee Valley Authority for the fiscal year 1941 to provide facilities to expedite the national defense.

July 31, 1940
[H. J. Res. 583]
[Pub. Res., No. 95]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$25,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, as an additional amount to carry out the provisions of the Tennessee Valley Authority Act of 1933, approved May 18, 1933, as amended by the Acts approved August 31, 1935, and July 26, 1939, including the funds necessary to begin construction of a dam on the Holston River near Jefferson City, Tennessee; to begin installation of two additional electric generating units at Wilson Dam, Alabama, and one additional electric generating unit at Pickwick Landing Dam, Tennessee; and to begin construction of steam electric generating facilities with a rated capacity of approximately one hundred and twenty thousand kilowatts in the area served by the Authority; and the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction or purchase of transmission lines and other facilities, and all other necessary works authorized by such Acts, and for printing and binding, lawbooks, books of reference, newspapers, periodicals, purchase, maintenance, and operation of passenger-carrying vehicles, rents in the District of Columbia and elsewhere, and all necessary salaries and expenses connected with the organization, operation, and investigations of the Tennessee Valley Authority, and for examination of estimates of appropriations and activities in the field: *Provided*, That the foregoing appropriation shall be in addition to and shall be covered into and accounted for as a part of the "Tennessee Valley Authority Fund, 1941", as established by the Independent Offices Appropriation Act, 1941: *Provided further*, That purchases may be made by the Authority during the fiscal year 1941 without regard to the provisions of section 3709 of the Revised Statutes and section 9 (b) of the Tennessee Valley Authority Act, as amended, when in the judgment of the Board of Directors of the Authority such a procedure will expedite the completion of projects determined to be essential for national defense purposes by the Advisory Commission of the Council of National Defense: *Provided further*, That the extent and location of the transmission lines provided for herein shall receive the approval of such Commission.

Tennessee Valley
Authority.
Additional appro-
priation.

48 Stat. 53; 49 Stat.
1075; 53 Stat. 1083.
16 U. S. C. §§ 831-
831cc; Supp. V, §§ 831-
831dd.

Provisos.
Accounting.
Ante, p. 138.

National defense
projects.
Purchases.
41 U. S. C. § 5.
49 Stat. 1080.
16 U. S. C., Supp.
V, § 831h (b).

Transmission lines.

Approved, July 31, 1940.