

[CHAPTER 109]

AN ACT

To amend an Act entitled "An Act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia", approved February 24, 1914.

June 1, 1943
[H. R. 777]
[Public Law 63]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia", approved February 24, 1914, be amended as follows: By changing the period at the end of section 1 to a colon and inserting the following: "*Provided*, That the Minimum Wage and Industrial Safety Board of the District of Columbia, during the period ending June 30, 1945, or such earlier date as the Congress by concurrent resolution may determine, may issue to employers engaged in businesses or occupations specified in this section of this Act, upon satisfactory showing to the said Board that such action is essential to the war effort, a temporary permit, for such period of time and in such form as it may deem advisable, to employ females for more than eight hours in any one day, or more than forty-eight hours, but not to exceed fifty-four hours, in any one week: *Provided further*, That in cases where said Board has issued permits under this section the employer shall pay employees working under such permits an additional sum at the rate of time and one-half for the time they are employed in excess of the limitations under existing law. A true and correct copy of all permits issued pursuant to the authority granted herein shall be displayed by the employer in a prominent place, and in such case the employer shall not be required to post the notice required in section 4 of this Act."

District of Columbia.
Employment of females.

38 Stat. 291.
D. C. Code § 36-301.

Temporary permit
to extend hours.

Additional pay.

Display of copy of
permit.

38 Stat. 291.
D. C. Code § 36-301.

Approved June 1, 1943.

[CHAPTER 115]

AN ACT

Making appropriations for the fiscal year ending June 30, 1944, for civil functions administered by the War Department, and for other purposes.

June 2, 1943
[H. R. 2346]
[Public Law 64]

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 fiscal year ending June 30, 1944, for civil functions administered by the War Department, and for other purposes, namely:

War Department
Civil Appropriation
Act, 1944,
Post, pp. 544, 631.

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of grave sites; purchase of tools and materials; repair, maintenance, and operation of passenger-carrying motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and including the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; for headstones or markers for

Maintenance, etc.

Headstones.

17 Stat. 545; 20 Stat. 281; 45 Stat. 1307; 54 Stat. 142.

Confederate cemeteries.

Commercial cemeteries.

Encroachment by railroad.

Roadway repairs.

unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873, February 3, 1879, February 26, 1929, and April 18, 1940 (24 U. S. C. 279-280b), and civilians interred in post cemeteries; for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; and for care and maintenance of graves used by the Army for burials in commercial cemeteries, \$1,230,058: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

SIGNAL CORPS

ALASKA COMMUNICATION SYSTEM

Report to Congress.

For operation, maintenance, and improvement of the Alaska Communication System, including travel allowances and travel in kind as authorized by law, and operation and maintenance of passenger-carrying vehicles, \$227,840, to be derived from the receipts of the Alaska Communication System which have been covered into the Treasury of the United States, and to remain available until the close of the fiscal year 1945: *Provided*, That the Secretary of War shall report to Congress the extent and cost of any extensions and betterments which may be effected under this appropriation.

CORPS OF ENGINEERS

RIVERS AND HARBORS AND FLOOD CONTROL

Contracts without advertising.

41 U. S. C. § 5.
25 Stat. 423.
33 U. S. C. §§ 622, 623.

Post, pp. 544, 631.

Maintenance, etc.

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended: *Provided*, That any appropriation for civil functions under the Corps of Engineers for the fiscal year 1944 shall be available for contracting in such manner as the Secretary of War may determine to be in the public interest without regard to the provisions of section 3709 of the Revised Statutes or section 3 of the River and Harbor Act of August 11, 1888.

RIVERS AND HARBORS

California Débris Commission.
27 Stat. 507.

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893, as amended

(33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States, including maintenance of the Hennepin Canal in Illinois; for payment annually of tuition fees of not to exceed fifty student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as amended (10 U. S. C. 535); for examinations, surveys, and contingencies of rivers and harbors; for printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, including such printing as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase of two hundred motor-propelled passenger-carrying vehicles and five motorboats: *Provided*, That no part of this appropriation shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, \$35,700,000, and, in addition, \$3,000,000 of the unobligated balance on June 30, 1943, of the appropriation "Maintenance and improvement of existing river and harbor works", is hereby made available for the execution of detailed investigations and the preparation of plans and specifications for projects heretofore or hereafter authorized: *Provided*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board of Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That no appropriation under the Corps of Engineers for the fiscal year 1944 shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business: *Provided further*, That not to exceed \$1,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the actual expenses of the properly accredited delegates of the United States to the meeting of the Congresses and of the Commission.

FLOOD CONTROL

Flood control, general: For the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for the purchase of forty motor-propelled passenger-carrying vehicles and one motorboat, and for preliminary examinations, surveys, and contingencies in connection with flood control, \$100, and, in addition, \$3,000,000 of the unobligated balance

Student officers.

41 Stat. 785.
10 U. S. C., Supp.
II, § 535.
Printing and binding.

Unauthorized surveys, etc.

Investigations, etc.

Harbor channels.

Power-driven boats.

Permanent International Commission of Congresses of Navigation.

Post, pp. 521, 544.

Construction and maintenance.

49 Stat. 1570.
33 U. S. C. §§ 701a-701f, 701h; Supp. II, §§ 701b to 701f-1.

Plans and specifications.

on June 30, 1943, of the appropriation "Flood control, general", is hereby made available for the preparation of detailed plans and specifications of authorized flood-control projects, and for rescue work or the repair or maintenance of any flood-control work threatened or destroyed by flood, pursuant to section 5 of the Flood Control Act, approved August 18, 1941, for reimbursement to the city of Hartford, Connecticut, as authorized by the Flood Control Act approved August 18, 1941, and for construction of the flood-control projects heretofore authorized for the Mermentau River, Bayou Teche, and Vermilion River, Louisiana: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated herein may be used to execute detailed surveys, prepare plans and specifications, and to procure options on land and property necessary for the construction of authorized flood-control projects or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938, and section 3 of the Flood Control Act approved August 18, 1941 (55 Stat. 638): *Provided further*, That the expenditure of funds for completing the necessary surveys and securing options shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That no part of appropriations made available to the Secretary of Agriculture for preliminary examinations and surveys, as authorized by law, for run-off and water-flow retardation and soil-erosion prevention on the watersheds of flood-control projects, shall be obligated for initiating work upon new projects or for prosecuting work upon projects heretofore commenced, unless they accord with priorities specifically approved by the Secretary of War and the Secretary of Agriculture.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved May 15, 1928, as amended (33 U. S. C. 702a), including printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for the purchase of fifty motor-propelled passenger-carrying vehicles, \$14,000,000.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (49 Stat. 1508), \$100.

Flood control, Sacramento River, California: For prosecuting work of flood control, Sacramento River, California, in accordance with the provisions of Acts approved March 1, 1917, May 15, 1928, and August 26, 1937, as modified by the Act of August 18, 1941 (33 U. S. C. 703, 704; 50 Stat. 849; 55 Stat. 638-651), \$2,300,000, and, in addition, \$500,000 is hereby reappropriated of the unobligated balance on June 30, 1943, of the appropriation "Flood control, general".

HYDROELECTRIC POWER

Power plant, Bonneville Dam, Columbia River, Oregon: For completing the construction of the hydroelectric power plant at Bonneville Dam, Columbia River, Oregon, as authorized by the Acts approved August 30, 1935 (49 Stat. 1038), and August 20, 1937 (16 U. S. C. 832), to remain available until expended, \$500,000.

55 Stat. 650.
33 U. S. C., Supp.
II, § 701n.
Hartford, Conn., re-
imbursement.
55 Stat. 639.

Salmon River, Alas-
ka.

Surveys, options,
etc.

52 Stat. 1216; 55
Stat. 639.
33 U. S. C. § 701j;
Supp. II, § 701f note.
Expenditures con-
strued.

Preliminary exam-
inations, etc.
Use of funds to ac-
cord with priorities.

Mississippi River
and tributaries.
45 Stat. 534.

Post, p. 631.

Post, p. 631.

33 U. S. C. § 702g-1.
Sacramento River,
Calif.

39 Stat. 949; 45 Stat.
539.
33 U. S. C., Supp.
II, ch. 15.

56 Stat. 221.

50 Stat. 731.

UNITED STATES SOLDIERS' HOME

Post, p. 545.

For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home Permanent Fund, \$975,000.

THE PANAMA CANAL

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, and construction of additional facilities, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; lawbooks; textbooks and books of reference; printing and binding, including printing of annual report; personal services in the District of Columbia; maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels, cargo, crew, or passengers, as authorized by section 10 of title 2, Canal Zone Code, as amended (54 Stat. 387); claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; travel expenses when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; transportation of household goods of civilian officers and employees when transferred from one official station to another for permanent duty in accordance with the Act of October 10, 1940 (5 U. S. C. 73c-1); not to exceed \$2,000 for travel and subsistence expenses of members of the police and fire forces of the Panama Canal incident to their special training in the United States; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; purchase, construction, repair, replacement, alteration, or enlargement of buildings, structures, equipment, and other improvements; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

For maintenance and operation of the Panama Canal: Salary of the Governor, \$10,000; contingencies of the Governor, to be expended in his discretion, not exceeding \$3,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; and relief payments authorized

Maintenance, etc.

Damage claims.

48 U. S. C. § 1319.

37 Stat. 560.
48 U. S. C. § 1301;
Supp. II, §§ 1314f-1371k.

Emergencies.

54 Stat. 1105.
5 U. S. C., Supp. II,
§ 73c-1 note.Buildings and im-
provements.Maintenance and
operation.39 Stat. 750.
5 U. S. C., Supp. II,
§ 793.

48 U. S. C. § 1372.

37 Stat. 560.
48 U. S. C. § 1301;
Supp. II, §§ 1314f-
1371k.
Sanitation.

Blood transfusions.

Additional sums ap-
propriated.

Waterworks, etc.,
Panama and Colon.

Canal Zone.
Citizenship require-
ment.

Employment of
Panamanian citizens.
48 U. S. C. § 1307
note.

by the Act approved July 8, 1937 (50 Stat. 478), \$4,016,000; for continuing the construction of special protective works, \$2,000,000; in all, \$6,016,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, and payments of not to exceed \$50 in any one case to persons within the Government service who shall furnish blood from their veins for transfusion to the veins of patients in Panama Canal Hospitals, \$1,546,000.

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, \$1,162,000.

Total, Panama Canal, \$8,724,000, to be available until expended.

In addition to the foregoing sums there is appropriated for the fiscal year 1944 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, and to remain available until expended, all moneys received by the Panama Canal during the fiscal year 1944 and prior fiscal years (exclusive of net profits for such prior fiscal years) from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

There is also appropriated for the fiscal year 1944 for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, to remain available until expended, the necessary portions of such sums as shall be paid during that fiscal year as water rentals or directly by the Government of Panama for such expenses.

SEC. 2. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however,* (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens em-

ployed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest.

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 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. 4. The Governor of the Panama Canal is hereby authorized to employ by contract or otherwise without regard to section 3709, Revised Statutes, and at such rates (not to exceed \$50 per day for individuals exclusive of necessary travel expenses) as he may determine, the services of architects, engineers, and other technical and professional personnel, or firms or corporations thereof, as may be necessary.

SEC. 5. This Act may be cited as the "War Department Civil Appropriation Act, 1944".

Approved June 2, 1943.

Employees with 15 years of service.

Selection of personnel.

Hours of employment; pay rates.

Applicability.

Wartime or emergency suspension.
S. F. R. 9175.

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Technical and professional personnel.
41 U. S. C. § 5.

Short title.

[CHAPTER 117]

AN ACT

June 4, 1943
[H. R. 2115]
[Public Law 65]

To amend the District of Columbia Unemployment Compensation Act to provide for unemployment compensation in the District of Columbia, and for other purposes.

District of Columbia Unemployment Compensation Act.
49 Stat. 946.
D. C. Code §§ 46-301 to 46-324; Supp. II, §§ 46-303, 46-314.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Unemployment Compensation Act, approved August 28, 1935, as amended, is further amended to read as follows:

"DEFINITIONS

"SECTION 1. As used in this Act, unless the context indicates otherwise—

"Employer."

"(a) The term 'employer' means every individual and type of organization for whom services are performed in employment;

"Employment."

"(b) (1) 'Employment' means any service performed prior to the effective date of this Act which was employment as defined in this Act prior to such date, and subject to the other provisions of this subsection, service performed on and after the effective date of this Act, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, express or implied;

Service included.

"(2) The term 'employment' shall include an individual's entire service, performed within or both within and without the District if—

"(A) the service is localized in the District; or

"(B) the service is not localized in any State but some of the service is performed in the District and (i) the individual's base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in the District; or (ii) the individual's base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed but the individual's residence is in the District.

Services covered by reciprocal arrangement.
Post, p. 121.

"(3) Services covered by an arrangement pursuant to section 16 of this Act between the Board and the agency charged with the administration of any other State or Federal unemployment compensation law, pursuant to which all services performed by an individual for an employer are deemed to be performed entirely within the District, shall be deemed to be employment if the Board has approved an election of the employer for whom such services are performed, pursuant to which the entire service of such individual during the period covered by such election is deemed to be employment for an employer.

When deemed localized within state.

"(4) Service shall be deemed to be localized within a State if—

"(A) the service is performed entirely within such State; or

"(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

Services not included.

"(5) The term 'employment' shall not include—

"(A) domestic service in a private home, local college club, or local chapter of a college fraternity or sorority;

"(B) casual labor not in the course of the employer's trade or business;

"(C) service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

Service in employ of U. S., etc.

"(D) service performed in the employ of the United States Government or of an instrumentality of the United States which