

## [CHAPTER 554]

## JOINT RESOLUTION

Making appropriations for work relief, relief, and otherwise to increase employment by providing loans and grants for public works projects.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* This joint resolution may be cited as the "Work Relief and Public Works Appropriation Act of 1938".

## TITLE I—WORK RELIEF AND RELIEF

SECTION 1. That in order to continue to provide work relief on useful public projects, and relief, in the United States and its Territories and possessions, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until June 30, 1939, as follows:

(1) To the Works Progress Administration, \$1,425,000,000, together with the balances of allocations heretofore made or hereafter to be made to the Works Progress Administration under the Emergency Relief Appropriation Act of 1937 and the joint resolution of March 2, 1938, which remain unobligated on June 30, 1938, and such amounts shall be available for (a) administration; (b) the prosecution of projects approved for such Administration under the provisions of the Emergency Relief Appropriation Act of 1935, the Emergency Relief Appropriation Act of 1936, and the Emergency Relief Appropriation Act of 1937, and the joint resolution of March 2, 1938, which projects shall not be subject to the limitations (1), (2), and (3) of (d) hereof; (c) aiding self-help and cooperative associations for the benefit of needy persons; and (d) the following types of public projects, Federal and non-Federal, subject to the approval of the President, and the amounts to be used for each class shall not, except as hereinafter provided, exceed the respective amounts stated, namely: (1) Highways, roads, and streets, \$484,500,000; (2) public buildings; parks and other recreational facilities, including buildings therein; public utilities; electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and cooperative associations; sewer systems, water supply and purification systems; airports and other transportation facilities; flood control; drainage; irrigation; conservation; eradication of insect pests; projects for the production of lime and marl in Wisconsin for fertilizing soil for distribution to farmers under such conditions as may be determined by the sponsors of such projects under provisions of State law; and miscellaneous construction projects, \$655,500,000; and (3) educational, professional, clerical, cultural, recreational, production, service, including training for domestic service, and miscellaneous non-construction projects, \$285,000,000: *Provided*, That the amount specified for any of the foregoing classes may be increased by not to exceed 15 per centum thereof by transfer or retransfer of an amount or amounts from any other class or classes: *Provided further*, That notwithstanding any other provisions of this Title, or of the Anti-Deficiency Act, the Works Progress Administrator is authorized, from time to time, out of funds appropriated in this sub-section, to use such amount or amounts not to exceed in the aggregate \$25,000,000, as may be determined by the President to be necessary, for the purpose of providing direct relief for needy persons; such amounts may be used in the discretion and under the direction of the President and through such agency or agencies as he may designate;

June 21, 1938  
[H. J. Res. 679]  
[Pub. Res., No. 122]

Work Relief and  
Public Works Approp-  
riation Act of 1938.

Title I—Emergency  
Relief Appropriation  
Act of 1938.

Continuation of relief  
and work relief,  
appropriation for des-  
ignated objects.

Works Progress Ad-  
ministration.  
Balances reapprop-  
riated.  
50 Stat. 352.

*Ante*, p. 83.

Availability.

49 Stat. 115, 1608; 50  
Stat. 352.  
15 U. S. C., Supp.  
III, § 728.

*Ante*, p. 83.  
Limitations.

Types of projects  
subject to Executive  
approval.

Highways.  
Public buildings,  
etc.

Public utilities.  
*Ante*, p. 670.

Water supply, air-  
ports, flood control,  
conservation, etc.

Educational, etc.

*Provisos*.  
Increases allowed.

Use of sums for pro-  
viding direct relief for  
needy persons.

Works Progress Administration for the National Youth Administration.

Balances of previous allocations; availability.

*Ante*, p. 83.

*Ante*, p. 809.

Part-time work, etc., to needy youth.

Educational assistance.

Secretary of Agriculture, for administration, etc.

Department of the Interior, Puerto Rico Reconstruction Administration.

Designated agencies for administrative expenses.

United States Employees' Compensation Commission.  
*Post*, p. 814.

Designated agencies for administrative expenses.

Department of Justice.  
49 Stat. 118.

Restriction on use of funds.

Apportionment of funds appropriated to Works Progress Administration.

(2) To the Works Progress Administration for the National Youth Administration, \$75,000,000, together with the balances of allocations heretofore made or hereafter to be made to the Works Progress Administration for the National Youth Administration under the Emergency Relief Appropriation Act of 1937 and the joint resolution of March 2, 1938, which remain unobligated on June 30, 1938, and such sums shall be available to provide, subject to the approval of the President, on projects of the types specified under (1) (d) hereof for the Works Progress Administration, part-time work and training to needy young persons who are no longer in regular attendance at school and who have been unable to obtain employment, and to enable needy young persons to continue their education at schools, colleges, and universities;

(3) To the Secretary of Agriculture, \$175,000,000, together with balances of allocations heretofore made or hereafter to be made to the Farm Security Administration under the Emergency Relief Appropriation Act of 1937 and the joint resolution of March 2, 1938, which remain unobligated on June 30, 1938, and such sums shall be available for administration, loans, relief, and rural rehabilitation for needy persons;

(4) To the Department of the Interior, Puerto Rico Reconstruction Administration, \$6,000,000 together with the balance of allocations heretofore made or hereafter to be made to such Administration under the Emergency Relief Appropriation Act of 1937 and the joint resolution of March 2, 1938, which remain unobligated on June 30, 1938, and such amounts shall be available for administration, loans, and rural rehabilitation for needy persons and for Federal and non-Federal projects of the type specified for the Works Progress Administration under limitations (1), (2), and (3) of (1) (d) hereof;

(5) To the following agencies for administrative expenses incident to carrying out the purposes of this title: (a) General Accounting Office, \$4,180,000; (b) Treasury Department: Procurement Division, Branch of Supply \$5,500,000; Division of Disbursement, \$3,500,000; Office of the Treasurer, \$750,000; Secret Service Division, \$300,000; Office of Commissioner of Accounts and Deposits and Division of Bookkeeping and Warrants, \$8,000,000 for administrative accounting; total, Treasury Department, \$18,050,000; and (c) Department of Commerce, Bureau of Air Commerce, \$325,000;

(6) To the United States Employees' Compensation Commission for expenditure in accordance with the provisions of section 16 of this title, \$3,500,000; and any allocations heretofore made or hereafter to be made to such Commission under the Emergency Relief Appropriation Act of 1937 or prior Emergency Relief Appropriation Acts shall not be rescinded or reallocated for any other purpose;

(7) To the following agencies for administrative expenses: (a) National Emergency Council, \$850,000; (b) National Resources Committee, \$750,000; and (c) Department of Labor, United States Employment Service, \$3,000,000; and

(8) To the Department of Justice, \$1,250,000, for administrative expenses in carrying out the provisions of section 5 of the Emergency Relief Appropriation Act of 1935;

Total of appropriations, title I, \$1,712,905,000.

The funds made available by this title shall be used only for work relief or relief for persons in need except as otherwise specifically provided herein.

SEC. 2. The funds appropriated in this title to the Works Progress Administration shall be so apportioned and distributed over the period ending February 28, 1939, and shall be so administered during

such period as to constitute the total amount that will be furnished to such Administration during such period for relief purposes, except that upon the happening of some extraordinary emergency or unusual circumstance, which could not be anticipated at the time of making such apportionment, the same may be waived or modified by the President, who shall fully set forth the reasons therefor at the time of any such action and communicate the same to Congress in connection with any estimates for additional appropriations to carry out the purposes of this title, but any such waiver or modification shall not have the effect of reducing the total period of apportionment of such funds as provided herein by more than one month; and the funds appropriated in this title to the Secretary of Agriculture, to the Works Progress Administration for the National Youth Administration, and to the other agencies, shall be so apportioned and distributed over the twelve months of the fiscal year ending June 30, 1939, and shall be so administered during such fiscal year as to constitute the total amounts that will be furnished to the Secretary of Agriculture, to the Works Progress Administration for the National Youth Administration, and to the other agencies during such fiscal year for the purposes of this title.

SEC. 3. The Administrator of the Works Progress Administration is authorized to allocate to other Federal departments, establishments, and agencies, for the purpose of operating projects of the types specified for the Works Progress Administration under section 1 of this title, including administrative expenses of any such department, establishment, or agency incident to the operation of such projects, not to exceed \$60,000,000 of the funds made available by such section to such Administration and to prescribe rules and regulations for the operation of such projects: *Provided*, That not to exceed 5 per centum of the total amount so allotted to any such department, establishment, or agency shall be expended for such administrative expenses.

SEC. 4. The Works Progress Administration, the National Youth Administration within the Works Progress Administration, the Farm Security Administration within the Department of Agriculture, the National Emergency Council, and the National Resources Committee are hereby extended until June 30, 1939, to carry out the purposes of this title.

SEC. 5. No Federal construction project, except flood control and water conservation projects authorized under other law, shall be undertaken or prosecuted under the appropriations in this title unless and until there shall have been allocated and irrevocably set aside Federal funds sufficient for its completion; and no non-Federal project shall be undertaken or prosecuted under such appropriations unless and until the sponsor has made a written agreement to finance such part of the entire cost thereof as is not to be supplied from Federal funds.

SEC. 6. Federal agencies having supervision of projects prosecuted under the appropriations in this title are authorized to receive from sponsors of non-Federal projects contributions in services, materials or money, such money to be deposited with the Treasurer of the United States. Such contributions shall be expended or utilized as agreed upon between the sponsor and the Federal agency.

SEC. 7. In carrying out the purposes of this title, the heads of the departments, establishments, and agencies to which funds are appropriated herein are authorized to prescribe such rules and regulations as may be necessary.

SEC. 8. The appropriations in this title for administrative expenses and such portion of other appropriations in this title as are available for administrative expenses shall not be obligated for such adminis-

Emergencies, etc.

Allocation of funds by Works Progress Administrator to other Federal agencies for operation of projects.  
*Ante*, p. 670.

*Proviso.*  
Limitation on administrative expenses.

Designated agencies extended until June 30, 1939.

Work forbidden unless funds for completion allocated; exception.  
*Ante*, p. 670.

Non-Federal projects.

Acceptance of contributions from sponsors of non-Federal projects.

Rules and regulations by heads of departments, etc.

Administrative expenses not to exceed allocations.

Authorized expenditures.	<p>trative expenses in excess of the amounts which the department, establishment, or agency, with the approval of the Director of the Bureau of the Budget, shall have certified to the Secretary of the Treasury as necessary for such purposes. The amounts so certified for administrative expenses shall be available for expenditure by such department, establishment, or agency concerned for personal services in the District of Columbia and elsewhere and for the objects set forth in subsection (a) of section 3 of the Emergency Relief Appropriation Act of 1935 and with the authority set forth in subsection (b) of such section of such Act: <i>Provided</i>, That not to exceed 5 per centum of the amount made available in section 1 of this title to the Works Progress Administration and to the Works Progress Administration for the National Youth Administration shall be used for administration.</p>
49 Stat. 117.	
<i>Proviso.</i> Limitation on amount for administration.	
Rates of pay on projects.	<p>SEC. 9. The rates of pay for persons engaged upon projects under the appropriations in this title shall be not less than the prevailing rates of pay for work of a similar nature in the same locality as determined by the Works Progress Administration: <i>Provided</i>, That if minimum rates of pay for persons employed by private employers in any occupation are established by or pursuant to the authority conferred by any Labor Standards Act enacted at the third session of the Seventy-fifth Congress, not less than the minimum rates of pay so established shall be paid to persons in similar occupations in the same locality employed on projects under the appropriation in subsection one of section one of this title.</p>
<i>Proviso.</i> Labor Standards Act. Minimum rates if enacted. Post, p. 1060.	
Employment of needy not heretofore listed.	<p>SEC. 10. In the employment of persons on projects under the appropriations in this title, applicants in actual need whose names have not heretofore been placed on relief rolls shall be given the same eligibility for employment as applicants whose names have heretofore appeared on such rolls: <i>Provided</i>, That in order to insure the fulfillment of the purposes for which such appropriations are made and to avoid competition between the Works Progress Administration and other Federal or non-Federal agencies in the employment of labor on construction projects of any nature whatsoever, financed in whole or in part by the Federal Government, no relief worker shall be eligible for employment on any project of the Works Progress Administration who has refused to accept employment on any other Federal or non-Federal project at a wage rate comparable with or higher than the wage rate established for similar work on projects of the Works Progress Administration: <i>Provided further</i>, That any relief worker who has been engaged on any Federal or non-Federal project and whose service has been regularly terminated through no fault of his own shall not lose his eligibility for restoration to the relief rolls or for reemployment on any other Federal or non-Federal project on account of such previous employment: <i>Provided further</i>, That the fact that a person is entitled to or has received either adjusted-service bonds or a Treasury check in payment of an adjusted-compensation certificate shall not be considered in determining actual need of such employment: <i>Provided further</i>, That every relief worker employed on any Federal or non-Federal Works Progress Administration project shall be required, as a condition to his continued employment, to file quarterly a statement as to the amount of his earnings, if any, from outside employment while he was assigned to such a project, and the statements so filed shall be taken into consideration in assigning such workers to employment on such projects and in continuing them in such employment. Farmers in need and who need employment to supplement their farm income but who are not on relief rolls shall have the same eligibility for employment on projects in rural areas as persons on such rolls.</p>
<i>Provisos.</i> Restriction on employment.	
Restoration where separation not due to fault of enrollee.	
Adjusted compensation not considered in determining employment need.	
Quarterly statements by relief workers.	
Needy farmers.	

SEC. 11. No alien illegally within the limits of the United States, and no alien who has not, prior to the date of enactment of this joint resolution, filed a declaration of intention to become an American citizen which is valid and has not expired, shall knowingly be given employment or continued in employment on any project prosecuted under the appropriations in this title: *Provided*, That preference in employment on such projects shall be given in the following order: (1) Veterans of the World War and the Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration) who are in need and are American citizens; (2) other American citizens, Indians and other persons owing allegiance to the United States who are in need; and (3) those aliens in need whose declarations of intention to become American citizens were filed prior to the date of enactment of this joint resolution and are valid and have not expired.

SEC. 12. No person employed on work projects under the appropriations in this title and in need who refuses a bona fide offer of private employment under reasonable working conditions which pays as much or more in compensation for the same length of service as such person receives or could receive under such appropriations and who is capable of performing such work, shall be retained in employment for the period such private employment would be available: *Provided*, That any person who takes such private employment shall at the expiration thereof be entitled to immediate resumption of his previous employment status if he is still in need and if he has lost the private employment through no fault of his own.

SEC. 13. Appointments to Federal positions of an administrative or advisory capacity under the appropriations in this title in any State shall be made from among the bona fide citizens of that State so far as not inconsistent with efficient administration.

So far as not inconsistent with efficient administration no part of the appropriations in this title shall be available to pay the compensation of any officer or employee of the United States who holds an administrative, executive, or supervisory position under this joint resolution, if the position is in any office located outside the District of Columbia or is on any project prosecuted in any place outside the District of Columbia, unless such person is an actual and bona fide citizen of the State, Territory, region, or district in which the office or project is situated, but this provision shall not apply to the temporary and emergency assignment of any person to a position where the period of service in such position does not exceed sixty days.

SEC. 14. No part of any appropriation in this title shall be used to pay the salary or expenses of any person in a supervisory or administrative position who is a candidate for any State, district, county, or municipal office (such office requiring full time of such person and to which office a salary or per diem attaches), in any primary, general or special election, or who is serving as a campaign manager or assistant thereto for any such candidate.

SEC. 15. Hereafter, so far as not inconsistent with efficient administration, all appointments of persons to the Federal Service for employment within the District of Columbia, under the provisions of this joint resolution, whether such appointments be within the classified civil service or otherwise, shall be apportioned among the several States and the District of Columbia upon the basis of population as ascertained at the last preceding census.

In making separations from the Federal Service, or furloughs without pay to last as long as three months, of persons employed within the District of Columbia, under the provisions of this joint

Illegally entered, etc., aliens, restriction on employment on projects.

*Proviso.*  
Preferences in employment.

Refusal of private employment offer.

*Proviso.*  
Eligibility on expiration of private employment.

Federal administrative, etc., positions in States, appointments.

Requirements.

Candidate for State office or campaign manager, pay restriction.

Apportionment of appointments.

Separations; retention of appointees according to State population.

*Proviso.*  
Soldiers, sailors, etc., preferential status.

Disability or death compensation.  
48 Stat. 351.  
5 U. S. C. § 796.  
Employees excepted.

Services under National Youth Administration.

*Provisos.*  
Limitation.

Special fund created.

Availability.  
*Ante*, p. 415.

Use outside United States.

Cases within purview of State, etc., workmen's compensation laws.

Establishment of special funds for materials, supplies, etc.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

False statements with intent to defraud, etc.

resolution the appointing power shall give preference, as nearly as good administration will warrant, in retention to appointees from States that have not received their share of appointments according to population: *Provided, however*, That soldiers, sailors, and marines, the widows of such, or the wives of injured soldiers, sailors, and marines, who themselves are not qualified, but whose wives are qualified to hold a position in the Government Service, shall be given preference in retention, in their several grades and classes, where their ratings are good or better.

SEC. 16. The provisions of the Act of February 15, 1934 (48 Stat. 351), as amended, relating to disability or death compensation and benefits shall apply to persons (except administrative employees qualifying as civil employees of the United States) receiving compensation from the appropriations in this title for services rendered as employees of the United States and to persons receiving assistance in the form of payments from the United States for services rendered under the National Youth Administration created by Executive order of June 26, 1935: *Provided*, That effective July 1, 1938, the monthly compensation in any individual case heretofore or hereafter coming within the purview of such Act of February 15, 1934, shall not exceed the rate of \$50, and the aggregate payments shall not exceed \$4,000, exclusive of medical costs: *Provided further*, That so much of the appropriation in section 1 of this title to the United States Employees' Compensation Commission, as the Commission, with the approval of the Director of the Bureau of the Budget, estimates and certifies to the Secretary of the Treasury will be necessary for the payment of such compensation and administrative expenses shall be set aside in a special fund to be available and to be administered by the Commission during the fiscal year 1939 for such purposes; and after June 30, 1939, such special fund shall be added to and become part of the "Employees' Compensation Fund, Emergency Relief", set up in accordance with the provisions of the Independent Offices Appropriation Act, 1939: *Provided further*, That said "Employees' Compensation Fund, Emergency Relief" and the special fund herein authorized shall not be limited in its use to the United States, its Territories, and possessions and any payments heretofore made to persons outside the United States, its Territories, and possessions from the special funds set aside to be administered by said Commission, if otherwise valid, are hereby validated: *Provided further*, That this section shall not apply in any case coming within the purview of the workmen's compensation law of any State or Territory, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

SEC. 17. In carrying out the purpose of the appropriations in this title, the Secretary of the Treasury is authorized to prescribe rules and regulations for the establishment of special funds for the Procurement Division, Branch of Supply, Treasury Department, and the Works Progress Administration, in the nature of revolving funds for use, until June 30, 1939, in the purchase, repair, distribution, or rental of materials, supplies, equipment, and tools.

SEC. 18. The provisions of section 3709 of the Revised Statutes (41 U. S. C., 5) shall not apply to any purchase made or service procured in connection with the foregoing appropriation when the aggregate amount involved is less than \$300.

SEC. 19. Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any project, employment, or relief aid under the appropriations in this title, or diverts, or attempts to divert or assists in diverting, for the benefit of any person or persons not

entitled thereto, any portion of such appropriation, or any services or real or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, or discrimination on account of race, religion, political affiliations, or membership in a labor organization, deprives any person of any of the benefits to which he may be entitled under any such appropriation, or attempts so to do, or assists in so doing, shall be deemed guilty of a misdemeanor and fined not more than \$2,000 or imprisoned not more than one year, or both.

SEC. 20. The Works Progress Administrator is authorized to consider, ascertain, adjust, determine, and pay from the appropriation to the Works Progress Administration in this title any claim arising out of operations thereunder accruing after the effective date of this title on account of damage to or loss of property caused by the negligence of an employee of the Works Progress Administration or of the National Youth Administration while acting within the scope of his employment: *Provided*, That no claim shall be considered hereunder which is in excess of \$500, or which is not presented in writing to the Administration within one year from the date of accrual thereof: *Provided further*, That acceptance by any claimant of the amount allowed on account of his claim shall be deemed to be in full settlement thereof, and the action of the Administrator upon such claim so accepted by the claimant shall be conclusive.

SEC. 21. Reports of the operations under the appropriations in this joint resolution and the appropriation contained in the Emergency Relief Appropriation Act of 1937 and the joint resolution of March 2, 1938, including a statement of the expenditures made and obligations incurred by classes, projects, and amounts shall be submitted by the President to Congress on or before the fifteenth of January in each of the next two regular sessions of Congress: *Provided*, That such reports shall be in lieu of the report required by section 14 of such Act of 1937.

SEC. 22. No part of the funds made available in this joint resolution shall be loaned or granted, except pursuant to an obligation incurred prior to the date of the enactment of this joint resolution, to any State, or any of its political subdivisions or agencies, for the purpose of carrying out or assisting in carrying out any program or project of constructing, rebuilding, repairing, or replanning its penal or reformatory institutions, unless the President shall find that the projects to be financed with such loan or grant will not cause or promote competition of the products of convict labor with the products of free labor.

SEC. 23. The funds herein appropriated to the Works Progress Administration, exclusive of those used for administrative expenses, shall be so administered by the Works Progress Administrator that, except as hereinafter provided, expenditure authorizations for other than labor costs for all the projects financed from such funds in any State, Territory, possession, or the District of Columbia shall not exceed an average of \$7 per month per worker employed after June 30, 1938, and prior to February 28, 1939, on all such projects: *Provided*, That not to exceed \$25,000,000 of the funds herein appropriated to the Works Progress Administration may be used by the Works Progress Administrator to supplement the amounts so authorized for other than labor costs in any State, Territory, possession, or the District of Columbia where in the opinion of the Administrator an emergency makes such additional expenditures necessary to assure the operation of sound projects.

SEC. 24. This title may be cited as the "Emergency Relief Appropriation Act of 1938".

Penalty.

Ascertainment and payment of certain damage claims.

Provisos.  
Limitations.

Acceptance of amount deemed in full settlement.

Reports of operations to Congress.  
50 Stat. 352; *ante*, p. 83.

Proviso.  
Existing requirement superseded.  
50 Stat. 357.

Restriction on use of funds.

Limitation on expenditures for other than labor costs.

Proviso.  
Supplementary funds in emergency.

Short title.

Title II—Public Works Administration Appropriation Act of 1938.  
Appropriation.  
*Post*, pp. 1152, 1153.

48 Stat. 200; 49 Stat. 115, 1608; 50 Stat. 352.

Availability.

Authorized expenditures.

*Proviso.*  
Use for enlarging Indian Reservations forbidden.

Time limitations.

*Proviso.*  
Exception.

Allocations for Federal construction projects.

Classes.

*Proviso.*  
Military or naval purposes.

Grants for non-Federal projects, limitation on amount.

Projects constructed for lease to public agencies, limitation.

Administrative expenses.

## TITLE II—PUBLIC WORKS ADMINISTRATION PROJECTS

SEC. 201. (a) In order to increase employment by providing for useful public works projects of the kind and character which the Federal Emergency Administrator of Public Works (herein called the "Administrator") has heretofore financed or aided in financing, pursuant to Title II of the National Industrial Recovery Act, the Emergency Relief Appropriation Act of 1935, the Emergency Relief Appropriation Act of 1936, or the Public Works Administration Extension Act of 1937, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until June 30, 1940, the sum of \$965,000,000, to be expended by such Administrator, subject to the approval of the President, for (1) the making of allotments to finance Federal projects, or (2) the making of loans or grants, or both, to States, Territories, possessions, political subdivisions, or other public bodies (herein called public agencies), or (3) the construction and leasing of projects, with or without the privilege of purchase, to any such public agencies: *Provided*, That no funds appropriated under this title shall be available for the acquisition of land to enlarge Indian Reservations.

(b) No funds appropriated under this title shall be allotted for any project which in the determination of the Administrator cannot be commenced prior to January 1, 1939, or the completion of which cannot be substantially accomplished prior to June 30, 1940: *Provided*, That this limitation upon time shall not apply to any project enjoined in any Federal or State court.

(c) Under subsection (a) (1) of this section not to exceed \$200,000,000 shall be allotted to Federal agencies for Federal construction projects (including projects for making surveys and maps, not exceeding \$2,500,000) in continental United States outside the District of Columbia, and such projects shall be selected from among the following classes: (1) Projects authorized by law and for the acquisition of land for sites for such authorized projects; (2) projects for the enlargement, extension, or remodeling of existing Federal plants, institutions, or facilities; (3) projects for hospitals and domiciliary facilities of the Veterans' Administration (including the acquisition of land for sites therefor) and any such allotments shall be available for the purposes and under the conditions specified in the appropriation for "Hospitals and domiciliary facilities" in the Independent Offices Appropriation Act, 1939; and (4) projects for penal and correctional facilities under the Department of Justice, including the acquisition of land for sites therefor: *Provided*, That not to exceed \$15,000,000 of such allotments shall be made for military or naval purposes except for the housing or hospitalization of personnel or for storage of material, supplies, and equipment at existing establishments.

(d) No grant shall be made in excess of 45 per centum of the cost of any non-Federal project, and no project shall be constructed for lease to any public agency unless the Administrator shall determine that the nonrecoverable portion of the cost of such project shall not exceed 45 per centum of the cost thereof.

(e) Not more than \$750,000,000 of the funds appropriated under this title shall be used for grants, or for defraying the estimated nonrecoverable portion of the cost of projects constructed for lease to public agencies.

(f) Not more than \$15,000,000 of the appropriation in this title shall be available for administrative expenses of the Administration during the fiscal year ending June 30, 1939; such amount and the amount made available in the Independent Offices Appropriation



Act, 1939, for administrative expenses for the Federal Emergency Administration of Public Works shall be available for administrative expenses thereof during such fiscal year for the purposes and under the conditions set forth in such Act for such Administration, except that the condition therein that such administrative expenses are in "connection with the liquidation of said Administration" is hereby rescinded and both amounts are hereby made available, in addition to the other purposes, for the purchase and exchange of motor-propelled passenger-carrying vehicles for official use in field work and in the District of Columbia in a total amount not to exceed \$75,000 but not more than \$1,500 thereof shall be so expended for such purchase and exchange for use in such District. And the Administrator shall reserve from the appropriation in this title an adequate amount for administrative expenses of the Administration for the fiscal year ending June 30, 1940, for the completion (except liquidation) of the activities of such Administration, subject to authorization hereafter by annual appropriation acts for the utilization thereof.

(g) Not more than \$400,000,000 may be used, from the moneys realized from the sale of securities acquired with funds made available by this title or with the proceeds of such securities, for the making of further loans hereunder.

(h) No Federal construction project, except flood control and water conservation or utilization projects now under actual construction, shall be undertaken or prosecuted under the appropriation in this title unless and until there shall have been allocated and irrevocably set aside Federal funds sufficient for its completion; and no moneys for a non-Federal project shall be paid from the funds made available by this title to any public agency unless and until adequate provision has been made, or in the opinion of the Administrator is assured, for financing such part of the entire cost thereof as is not to be supplied from Federal funds.

SEC. 202. The Federal Emergency Administration of Public Works is hereby continued to the close of the fiscal year ending June 30, 1941, and is hereby authorized to continue to perform all functions which it is authorized to perform on the date of enactment hereof. All provisions of law existing on the date of enactment hereof, and relating to the availability of funds for carrying out any of the functions of such Administration are hereby continued to the end of such fiscal year, except that the date specified in the Emergency Relief Appropriation Act of 1936, as amended by section 201 of the Public Works Administration Extension Act of 1937, prior to which, in the determination of the Administrator, projects for which moneys made available by such Act were authorized to be granted, can be substantially completed is hereby changed from "July 1, 1939" to "July 1, 1940".

SEC. 203. That portion of section 203 of the Public Works Administration Extension Act of 1937, which reads as follows, is hereby repealed: "; and after the date of the enactment of this joint resolution no allotment shall be made by the Administrator for any project the application for which has not been approved by the examining divisions of the Administration prior to such date".

SEC. 204. Section 206 of the Public Works Administration Extension Act of 1937 is hereby amended to read as follows:

"SEC. 206. No new applications for loans or grants for non-Federal projects shall be received by the Administration after September 30, 1938: *Provided*, That this section shall not apply to applications amendatory of applications for projects received prior to October 1, 1938, and such applications shall be confined to projects, which, in the determination of the Administrator, can be started and completed

*Ante*, p. 434.

Certain conditions rescinded.

Administrative expenses for fiscal year 1940.

Funds from sale of securities, etc., use of portion for making further loans.

Work forbidden unless funds for completion allocated; exceptions.

Non-Federal projects.

Continuation of Administration to June 30, 1941.

Provisions of law extended.

49 Stat. 1608, 50 Stat. 357.

Approval of applications; provision repealed.  
50 Stat. 357.

50 Stat. 358.

Loans or grants for non-Federal projects; time limitation on new applications.  
*Proviso.*  
Exceptions.

within the time limits specified in section 201 (b) of the Public Works Administration Appropriation Act of 1938."

SEC. 205. This title may be cited as the "Public Works Administration Appropriation Act of 1938".

### TITLE III—FEDERAL PUBLIC BUILDINGS

SEC. 301. Construction of Public Buildings Outside the District of Columbia: The total amount authorized to be appropriated for the three-year program for the acquisition of sites and construction of public buildings by the paragraph under the caption "Emergency Construction of Public Buildings Outside the District of Columbia", contained in the "Third Deficiency Appropriation Act, fiscal year 1937", approved August 25, 1937 (50 Stat. 773), is hereby increased from \$70,000,000 to \$130,000,000. All applicable provisions and authority of such paragraph shall be operative with respect to the enlarged authorization provided in this title except that the list from which projects, including the sites therefor, are to be selected by the Postmaster General and the Secretary of the Treasury acting jointly shall be the revision, dated April 25, 1938, of House Report Numbered 1879, Seventy-third Congress. Toward such increased program there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$25,000,000, of which not to exceed \$500,000 may be utilized as an addition to the fund specified in such paragraph in such Act for the augmentation of the limits of cost of selected projects in amounts not exceeding 10 per centum of such limits of cost. The appropriations heretofore made under the authority of such paragraph, together with the appropriation in this title, shall be consolidated into a single fund and be available toward the consummation of the entire authorized program.

SEC. 302. This title may be cited as the "Federal Public Buildings Appropriation Act of 1938".

### TITLE IV—RURAL ELECTRIFICATION LOANS

SEC. 401. The Act entitled "An Act to provide for rural electrification, and for other purposes", approved May 20, 1936 (49 Stat. 1363), is hereby amended as follows: (a) By inserting in subsection (a) of section 3 thereof immediately following the date "June 30, 1937" the phrase "and \$100,000,000 for the fiscal year ending June 30, 1939" and (b) by striking out the date "June 30, 1937" appearing at the end of subsection (e) of such section 3 and inserting in lieu thereof the date "June 30, 1939".

In making loans pursuant to this title and pursuant to the Rural Electrification Act of 1936, the Administrator of the Rural Electrification Administration shall require that, to the extent practicable and the cost of which is not unreasonable, the borrower agree to use in connection with the expenditure of such funds only such unmanufactured articles, materials, and supplies, as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States.

SEC. 402. For an additional amount for salaries and expenses of the Rural Electrification Administration, fiscal years 1938 and 1939, including the same objects and under the same conditions specified under this head in the Independent Offices Appropriation Act, 1939, including printing and binding, there is appropriated, out of any

Short title.

Title III—Federal Public Buildings Appropriation Act of 1938.  
Sites and construction.  
Authorizations increased.

50 Stat. 773.  
Provisions applicable, operative, exception.

Appropriation.

Consolidation of funds.

Short title.

Title IV—Rural Electrification Act of 1938.

Loans authorized.  
49 Stat. 1364.  
7 U. S. C., Supp. III, § 903.

Use of materials of American manufacture.

Salaries and expenses.

Ante, p. 424.

money in the Treasury not otherwise appropriated, the sum of \$700,000: *Provided*, That no part of any appropriation contained in this or any other Act for the fiscal year ending June 30, 1939, shall be available for the payment of enlistment allowance to enlisted men for reenlistment within a period of three months from date of discharge as to reenlistments made during the fiscal year ending June 30, 1939, notwithstanding the applicable provisions of sections 9 and 10 of the Act entitled "An Act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service", approved June 10, 1922 (37 U. S. C. 13, 16).

SEC. 403. This title may be cited as the "Rural Electrification Act of 1938".

#### TITLE V—PRICE ADJUSTMENT ACT OF 1938

SEC. 501. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of \$212,000,000 to enable the Secretary of Agriculture to make parity payments to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco pursuant to the provisions of section 303 of the Agricultural Adjustment Act of 1938: *Provided, however*, That, notwithstanding the provisions of said section, one-half of this sum shall be apportioned among such commodities in accordance with the provisions of said section 303 of the Agricultural Adjustment Act of 1938 and one-half shall be apportioned among such commodities in the same proportion that funds available for sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act would be allocated to such commodities in connection with the 1939 agricultural conservation program on the basis of the standards set forth in section 104 of the Agricultural Adjustment Act of 1938: *Provided further*, That such payments with respect to any such commodity shall be made upon the normal yield of the farm acreage allotment established for the commodity under the 1939 agricultural conservation program, and shall be made with respect to a farm only in the event that the acreage planted to the commodity for harvest on the farm in 1939 is not in excess of the farm acreage allotment established for the commodity under said program: *And provided further*, That the rate of payment with respect to any commodity shall not exceed the amount by which the average farm price of the commodity is less than 75 per centum of the parity price.

In apportioning the funds among commodities, parity income for each commodity shall be considered a normal year's domestic consumption and exports (in the case of corn, that part of a normal year's domestic consumption and exports determined on the basis of the proportion that corn production in the commercial corn-producing area was of United States production during the five years 1928-32, inclusive) of such commodity times the parity price. In determining parity prices and farm prices for these commodities, that part of the marketing year ending January 31, 1939, shall be used. In case any person who is entitled to payment hereunder dies, becomes incompetent or disappears before receiving such payment or is succeeded by another who renders or completes the required performance, payment shall, without regard to any other provisions of law, be made as the Secretary of Agriculture may determine to be fair and reasonable in all the circumstances and provide by regulations. The administration of this title shall be in accordance with the provisions of the Agricultural Adjustment Act of 1938 and the provisions of other titles of this joint resolution shall not apply to this title.

This title may be cited as the "Price Adjustment Act of 1938."

*Proviso.*  
Reenlistment allowance, restriction.

42 Stat. 629.  
37 U. S. C. §§ 13-16.  
Short title.

Title V—Price Adjustment Act of 1938.

Appropriation for making parity payments to certain producers of wheat, cotton, corn, etc.

*Ante*, p. 45.

*Provisos.*  
Apportionment of funds.

49 Stat. 1148-1151.  
16 U. S. C., Supp. III, §§ 500g-500q.

*Ante*, p. 35.

Basis of payments.

Rate, limitation.

Parity income construed.

Determination of parity prices and farm prices.

Provisions applicable.  
*Ante*, p. 31.

Short title.

Agricultural Ad-  
justment Act of 1938,  
amendments.  
Loans upon wheat if  
price below 52 per cen-  
tum of parity price.  
*Ante*, p. 43.

Loans upon cotton.  
*Ante*, p. 43.

Loans upon corn.  
*Ante*, p. 43.

United States Hous-  
ing Act Amendments  
of 1938.  
50 Stat. 892.  
42 U. S. C., Supp.  
III, § 1410 (e).

Contracts, limita-  
tion on authority.

Appropriations au-  
thorized for annual  
contribution.

Payments pledged  
as security.

*Proviso.*  
Application of an-  
nual contributions.

Term defined.

50 Stat. 898.  
42 U. S. C., Supp.  
III, § 1420 (a).  
Issuance of obliga-  
tions.  
Maximum amount.

Short title.

SEC. 502. (a) The first sentence of subsection (b) of section 302 of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by inserting after "June 15" the words "or at any time thereafter during such marketing year;" and (2) by striking out "on such date" and inserting in lieu thereof "at any such time".

(b) The first sentence of subsection (c) of section 302 of such Act, as amended, is amended (1) by adding after "August 1" the words "or at any time thereafter during such marketing year"; and (2) by striking out "on such date" and inserting in lieu thereof "at any such time".

(c) The first sentence of subsection (d) of section 302 of such Act, as amended, is amended by inserting after "November 15" wherever it appears the words "or at any time thereafter during such marketing year".

#### TITLE VI—UNITED STATES HOUSING AUTHORITY

SEC. 601. Section 10 of the United States Housing Act of 1937 (referred to in this title as the "Act") is amended by amending subsection "(e)" and adding a new subsection "(f)" as follows:

"(e) The Authority is authorized, on and after the date of the enactment of this Act, to enter into contracts which provide for annual contributions aggregating not more than \$28,000,000 per annum. Without further authorization from Congress, no new contracts for annual contributions beyond those herein authorized shall be entered into by the Authority. The faith of the United States is solemnly pledged to the payment of all annual contributions contracted for pursuant to this section, and there is hereby authorized to be appropriated in each fiscal year, out of any money in the Treasury not otherwise appropriated, the amounts necessary to provide for such payments.

"(f) Payments under annual contributions contracts shall be pledged as security for any loans obtained by a public-housing agency to assist the development of the housing project to which the annual contributions relate: *Provided*, That annual contributions shall be used first to apply toward the payment of interest or principal as same mature on any loan due to the Authority from the public-housing agency. The term 'any loan due to the Authority' as used in this section shall mean any loan made by the Authority (including any bonds or other evidences of such loan which are resold by the Authority) to assist the development of the project to which the annual contributions relate."

SEC. 602. Section 20 (a) of the Act is amended to read as follows:

"SEC. 20. (a) The Authority is authorized to issue obligations in the form of notes, bonds, or otherwise, which it may sell to obtain funds for the purposes of this Act. The Authority may issue such obligations in an amount not to exceed \$800,000,000. Such obligations shall be in such forms and denominations, mature within such periods not exceeding sixty years from date of issue, bear such rates of interest not exceeding 4 per centum per annum, be subject to such terms and conditions, and be issued in such manner and sold at such prices as may be prescribed by the Authority with the approval of the Secretary of the Treasury."

SEC. 603. This title may be cited as the "United States Housing Act Amendments of 1938."

Approved, June 21, 1938.