

[CHAPTER 307]

JOINT RESOLUTION

June 11, 1940
[H. J. Res. 496]
[Pub. Res., No. 81]

Providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code.

Railroad Retirement Act of 1937, amendments.
50 Stat. 308.
45 U. S. C., Supp. V, § 228a (c).
Proviso.
Individuals not deemed in service of employer.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 1 of the Railroad Retirement Act of 1937, approved June 24, 1937 (50 Stat. 307), is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided further,* That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

50 Stat. 308.
45 U. S. C., Supp. V, § 228a (d).
Proviso.
Employment relation.

Subsection (d) of section 1 of said Act is hereby amended by substituting for the proviso therein the following: "*Provided, however,* That an individual shall not be deemed to be in the employment relation to an employer unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (c) of this section."

Amendments, operation and effect.

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Railroad Retirement Act of 1937 when that Act was enacted on June 24, 1937.

Railroad Retirement Act of 1935, amendments.
49 Stat. 968.
45 U. S. C., Supp. V, § 228a (c).
Proviso.
Individuals not deemed in service of carrier.

SEC. 2. Subsection (c) of section 1 of the Railroad Retirement Act of 1935, approved August 29, 1935 (49 Stat. 967), is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided, however,* That an individual not a citizen or resident of the United States shall not be deemed to be in the service of a carrier when rendering service outside the United States to a carrier conducting the principal part of its business in the United States if such carrier is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

49 Stat. 968.
45 U. S. C., Supp. V, § 228a (d).
Proviso.
Employment relation.

Subsection (d) of section 1 of said Act is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided, however,* That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of a carrier in accordance with subsection (c) of this section."

Amendments, operation and effect.

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Railroad Retirement Act of 1935 when that Act was enacted on August 29, 1935.

Internal Revenue Code, amendments.
53 Stat. 182.
26 U. S. C., Supp. V, § 1532 (b).
Proviso.
Employment relation to carrier.

SEC. 3. Subsection (b) of section 1532 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 1), is hereby amended by substituting for the second proviso therein the following: "*Provided, however,* That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (d) of this section."

Subsection (d) of section 1532 of said code is hereby amended by changing the period at the end thereof to a colon and adding the following: "Provided further, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Internal Revenue Code when that code was enacted on February 10, 1939, and as if they had been part correspondingly of subsections (b) and (d) of the Carriers Taxing Act of 1937 (50 Stat. 435) when that Act was enacted on June 29, 1937.

Approved, June 11, 1940.

53 Stat. 182,
26 U. S. C., Supp.
V, § 1532 (d).

Proviso.
Individuals not
deemed in service of
employer.

Laws applicable.

Amendments, oper-
ation and effect.

50 Stat. 436,
45 U. S. C., Supp.
V, § 261 (b), (d).

[CHAPTER 313]

AN ACT

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes.

June 11, 1940
[H. R. 8438]
[Public, No. 588]

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 Navy Department and the naval service for the fiscal year ending June 30, 1941, namely:

Navy Department
and naval service, ap-
propriations, fiscal
year 1941.

TITLE I—GENERAL APPROPRIATIONS

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

For traveling expenses of civilian employees, including not to exceed \$7,000 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; not to exceed \$2,000 for the part-time or intermittent employment in the District of Columbia or elsewhere of such experts and at such rates of compensation as may be contracted for by and in the discretion of the Secretary of the Navy; expenses of courts martial, purchase of law and reference books, expenses of prisoners and prisons, courts of inquiry, boards of investigations, examining boards, clerical assistance; witnesses' fees and traveling expenses; not to exceed \$20,000 for promoting accident prevention and safety in shore establishments of the Navy, to be expended in the discretion of the Secretary of the Navy; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); costs of suits; relief of vessels in distress; recovery of valuables from shipwrecks; maintenance of attachés abroad, including office rental and pay of employees, and not to exceed \$23,800 (composed of "A" item, \$17,500, and "B" item, \$6,300) in the aggregate or \$900 for any one person for allowances for living quarters,

Post. pp. 292, 604,
609, 875, 971.

Post. pp. 292, 604,
875, 972, 1043.

Post. pp. 292, 604,
875, 972.

Miscellaneous ex-
penses.

Experts.

Courts martial, etc.

Accident preven-
tion, shore establish-
ments.

Living quarters, etc.