

highways strategically important from the standpoint of the national defense as may be undertaken on the order of the Federal Works Administrator and as the result of request of the Secretary of War, the Secretary of the Navy, or other authorized national defense agency.

Priority of approval to projects important to national defense.

SEC. 19. In approving Federal-aid highway projects to be carried out with any unobligated funds apportioned to any State, the Commissioner of Public Roads may give priority of approval to, and expedite and construction of, projects that are recommended by the appropriate Federal defense agency as important to the national defense.

Short title.

SEC. 20. This Act may be cited as the "Federal Highway Act of 1940." Approved, September 5, 1940.

[CHAPTER 717]

AN ACT

September 9, 1940
[H. R. 10263]
[Public, No. 781]

Making supplemental appropriations for the national defense for the fiscal year ending June 30, 1941, and for other purposes.

Second Supplemental National Defense Appropriation Act, 1941.

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 national defense for the fiscal year ending June 30, 1941, namely:

Title III, Military Appropriation Act, 1941.
Additional appropriations.
Ante, pp. 350, 352.

TITLE I—WAR DEPARTMENT—MILITARY ACTIVITIES

For additional amounts for appropriations for the Military Establishment, fiscal year 1941, to be supplemental, and in addition, to the appropriations under the same heads in the Military Appropriation Act, for the fiscal year ending June 30, 1941, including the objects and subject to the limitations and conditions specified therein, except as otherwise provided herein, and including under each appropriation the employment of persons and the procurement of supplies and services, printing and binding, and communication service, at the seat of government and elsewhere (the amount for personal services at the seat of government, other than for field service employees, shall not exceed one-fourth of 1 per centum of the total amount of cash appropriated for the Army by this Act), as follows:

Ante, p. 357.

QUARTERMASTER CORPS

Regular supplies of the Army.

Regular supplies of the Army: For regular supplies of the Army, \$4,685,122, and, in addition, the Quartermaster General, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$3,280,000, for the purposes for which this appropriation is available.

Clothing and equipage, Army.

Clothing and equipage, Army: For clothing and equipage, Army, \$150,064,813, and, in addition, the Quartermaster General, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$50,700,000, for the purposes for which his appropriation is available.

Army transportation.

Army transportation: For Army transportation, \$87,500,610, without limitation as to the amount of this appropriation which may be expended for purchase or exchange of passenger-carrying vehicles; or purchase or construction, alteration, operation, and repair of boats; and, in addition, the Quartermaster General, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$7,150,000, for the purposes for which this appropriation is available.

Horses, etc.

Horses, draft and pack animals, \$241,000.

MILITARY POSTS

Construction of buildings, utilities, and appurtenances at military posts: For construction and installation of buildings, flying fields, and appurtenances thereto, \$201,109,030, of which \$128,107,115 shall be for emergency construction, and, in addition, the Quartermaster General, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$14,000,000, for the purposes for which this appropriation is available: *Provided*, That of the foregoing cash appropriation and contract authorization \$3,000,000 in cash and \$2,000,000 in contract authorization shall be available for storage for aviation gasoline at various locations: *Provided further*, That all construction for the Military Establishment which has been authorized, or may be authorized prior to July 1, 1942, may be prosecuted prior to the approval by the Attorney General of title to the lands upon which such construction is to be placed, to such extent as may be deemed necessary or advantageous by the Secretary of War: *Provided further*, That the Secretary of War may, with respect to contracts for public works for the Military Establishment entered into upon a cost-plus-a-fixed-fee basis out of funds appropriated for the fiscal year 1941, or authorized to be entered into prior to July 1, 1941, waive the requirements as to performance and payment bonds of the Act approved August 24, 1935 (49 Stat. 793; 40 U. S. C. 270a): *Provided further*, That the fixed fee to be paid the contractor as a result of any such public works contract hereafter entered into shall not exceed 6 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of War.

Acquisition of land: For the acquisition of land for military purposes, \$7,600,885.

SIGNAL CORPS

Signal Service of the Army: For Signal Service of the Army, \$60,646,752, and, in addition, the Chief Signal Officer, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$45,600,000, for the purposes for which this appropriation is available.

AIR CORPS

Air Corps, Army: For Air Corps, Army, \$520,802,304, and, in addition, the Chief of the Air Corps, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$1,002,600,000, for the purposes for which this appropriation is available.

MEDICAL DEPARTMENT

Medical and Hospital Department, Army: For Medical and Hospital Department, Army, \$11,701,039, and, in addition, the Surgeon General, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$3,900,000, for the purposes for which this appropriation is available.

CORPS OF ENGINEERS

Engineer Service, Army: For Engineer Service, Army, \$17,796,200, and, in addition, the Chief of Engineers, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$24,500,000, for the purposes for which this appropriation is available.

Ante, p. 360.

Construction.

Provisos.
Storage for aviation gasoline.

Construction prior to approval of title.

Waiver of performance, etc., bonds in designated contracts.
Post, p. 967.

40 U. S. C., Supp. V, § 270a.
Limitation on fixed fees.
Post, p. 967.

Acquisition of land.
Ante, p. 361.

Ante, p. 363.

Ante, p. 364.

Ante, p. 366.

Ante, p. 367.

Ante, p. 367.

ORDNANCE DEPARTMENT

Ordnance service and supplies, Army: For ordnance service and supplies, Army, \$540,162,645, and, in addition, the Chief of Ordnance, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$902,000,000, for the purposes for which this appropriation is available.

Ante, p. 368.

CHEMICAL WARFARE SERVICE

Chemical Warfare Service, Army: For Chemical Warfare Service, Army, \$12,028,641, and, in addition, the Chief of Chemical Warfare Service, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of \$15,400,000, for the purposes for which this appropriation is available.

Ante, p. 369.

SEACOAST DEFENSES

Seacoast defenses, general, \$16,533,491, of which \$8,312,154 shall remain available until expended; and in addition, when authorized by the Secretary of War, contracts may be entered into prior to July 1, 1941, for the purposes authorized by this appropriation to an amount not in excess of \$20,100,000.

Ante, p. 374.

RESERVE OFFICERS' TRAINING CORPS

Funds appropriated for Organized Reserves for the fiscal year 1941 shall be available for the pay and allowances of members of the Officers' Reserve Corps who may have been or may hereafter be detailed for duty in connection with the Reserve Officers' Training Corps.

Ante, p. 602; *post*, p. 970.

EXPEDITING PRODUCTION

Equipment, etc., for Army for emergency national defense.
41 U. S. C. § 5.

To enable the Secretary of War, upon the recommendation of the Advisory Commission of the Council of National Defense, and with the approval of the President, and without reference to section 3709, Revised Statutes, to expedite the production of equipment and supplies for the Army for emergency national defense purposes, including all of the objects and purposes specified under each of the appropriations available to the War Department during the fiscal year 1941, for procurement or production of equipment or supplies, for erection of structures, or for acquisition of land; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel in connection with the production of equipment and material and the use and operation thereof; and for any other purposes which in the discretion of the Secretary of War are desirable in expediting production for military purposes and are recommended by the Advisory Commission of the Council of National Defense, and approved by the President, to be immediately available, \$162,500,000, and, in addition, the Secretary of War, upon the recommendation of the Advisory Commission of the Council of National Defense, and with the approval of the President, is authorized to enter into contracts prior to July 1, 1941, for the same purposes to an amount not exceeding \$162,500,000: *Provided*, That an account shall be kept of all expenditures made or authorized hereunder and a report thereon shall be submitted to Congress on or before July 1, 1941: *Provided further*, That expenditures from funds appropriated under this head for the fiscal year 1941 shall not be subject to the provisions of section 1136, Revised Statutes, as amended (10 U. S. C. 1339).

Contracts authorized.

Provisos.
Accounting; report to Congress.
Restriction removed.

10 U. S. C., Supp. V, § 1339.

CONTINGENT EXPENSES, WAR DEPARTMENT

Section 3709, Revised Statutes, shall not apply to any procurement under the appropriation "Contingent expenses, War Department, 1941", which does not exceed \$100 in amount.

SEC. 101. The first sentence of the seventh paragraph of section 127a, National Defense Act, as amended by section 20 of the Act of June 15, 1933 (48 Stat. 161), is hereby amended to read as follows:

"In time of war or national emergency determined by the President any officer of the Regular Army may be appointed to higher temporary grade without vacating his permanent appointment."

SEC. 102. The Secretary of War may, until June 30, 1942, allocate to the Corps of Engineers any of the construction works required to carry out the national-defense program and may transfer to that agency the funds necessary for the execution of the works so allocated.

SEC. 103. Section 1 (c) of the Act of July 2, 1940 (Public, Numbered 703, Seventy-sixth Congress), is amended by deleting therefrom the words "for supplies or construction for", inserting in lieu thereof the word "with", and deleting the words "of such supplies or construction".

SEC. 104. This title may be cited as "Title III, Military Appropriation Act, 1941".

TITLE II—NAVY DEPARTMENT

For additional amounts for appropriations for the Navy Department and the naval service, fiscal year 1941, to be supplemental, and, in addition, to the appropriations in the Naval Appropriation Act for the fiscal year ending June 30, 1941, including the objects and subject to the limitations and conditions specified therein, except the limitations suspended by Act approved June 28, 1940 (Public, Numbered 671, Seventy-sixth Congress), and except as otherwise provided herein, as follows:

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

Miscellaneous expenses, \$136,000, including not to exceed \$11,700 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), and not to exceed \$2,167 for telephone, telegraph, and teletype rentals and tolls, telegrams, radiograms, and cablegrams: *Provided*, That the first proviso under the appropriation "Miscellaneous expenses, Office of the Secretary", contained in title I of the Act making appropriations for the Navy Department and the naval service for the fiscal year 1941, is hereby repealed.

BUREAU OF NAVIGATION

Training, Education, and Welfare, Navy Naval Reserve Officers' Training Corps, \$210,000.

Naval Reserve, including training for Reserve midshipmen, to be expended without regard to the limitations specified under this head in the Naval Appropriation Act for the fiscal year 1941, \$3,689,780.

The paragraph under the subheading "NAVAL RESERVE" of title I of the Naval Appropriation Act for the fiscal year 1941 is amended by inserting before the period at the end thereof a colon and the following: "*Provided further*, That nothing in the immediately preceding proviso shall be deemed to prevent the use of any such appropriation for the purpose of paying the pay, allowances, travel, or other expenses of any such officer or enlisted man of the Naval or Marine Corps Reserve who

Ante, p. 352.

Minor purchases.
41 U. S. C. § 5.
Ante, pp. 352, 603,
604.

National Defense
Act, amendment.
10 U. S. C. § 513.

Officer of Regular
Army.
Temporary grade in
time of war.

Works allocation to
Corps of Engineers.
Ante, p. 367.

Ante, p. 713.

Citation of title.

Title IV of the
Naval Appropriation
Act for the fiscal year
1941.
Additional appro-
priations.
Ante, p. 265.

Ante, p. 676.

Ante, p. 265.

Miscellaneous ex-
penses.
46 Stat. 818.

Proviso.
Repeal of restrictive
proviso.
Ante, p. 266.

Ante, p. 267.

Naval Reserve.
Ante, p. 270.

Proviso.
Pay, etc., on active
duty.

may surrender such pension, disability allowance, disability compensation, or retired pay for the period of his active duty in the Navy or Marine Corps”.

Ante, p. 272; *post*, p. 972.

BUREAU OF SHIPS

Maintenance, Bureau of Ships: For the same objects specified under the appropriations or portions of appropriations transferred to and consolidated under this head in accordance with section 1 (h) of the Act approved June 20, 1940 (Public, Numbered 644, Seventy-sixth Congress), \$35,000,000, and, in addition, the Secretary of the Navy may enter into contracts prior to July 1, 1941, to an amount not in excess of \$26,230,000, for the purposes for which this appropriation is available.

Ante, p. 493.

Ante, p. 273.

BUREAU OF ORDNANCE

Ordnance and ordnance stores, Navy, \$67,293,000, and, in addition, the Secretary of the Navy is authorized, prior to July 1, 1941, to enter into contracts to an amount not in excess of \$15,000,000 for the purposes for which this appropriation is available.

Ante, p. 274.

BUREAU OF SUPPLIES AND ACCOUNTS

Maintenance, Bureau of Supplies and Accounts, \$500,000.

Ante, p. 278.

BUREAU OF MEDICINE AND SURGERY

Medical Department, \$1,350,000.

Ante, p. 279.

MAINTENANCE, BUREAU OF YARDS AND DOCKS

Maintenance.

Proviso.
Increase of limita-
tion.
Ante, p. 280.

For maintenance, Bureau of Yards and Docks, including the purchase of twelve motor busses at a cost not to exceed \$4,500 each, \$2,000,000: *Provided*, That the limitation fixed in the Naval Appropriation Act for the fiscal year 1941, approved June 11, 1940, for expenditures for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, and so forth, is increased during the fiscal year 1941 from \$100,000 to \$110,000.

Ante, p. 279.

BUREAU OF YARDS AND DOCKS

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works, etc.

Toward the following public works and public utilities projects, including the purchase of necessary land, at a cost not to exceed the amount stated for each project, respectively, \$48,315,000, which amount, together with unexpended balances of appropriations herein and heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund:

Boston, Mass.

Navy Yard, Boston, Massachusetts: Light shop activities building and accessories, \$750,000; improvement of power plant, \$174,000; improvement of distributing systems, \$565,000.

Charleston, S. C.

Navy Yard, Charleston, South Carolina: Outside power connection to public utility company, \$50,000; services to fitting-out pier, \$35,000; miscellaneous shipbuilding facilities, \$465,000.

Mare Island, Calif.

Navy Yard, Mare Island, California: Galvanizing shop building and accessories, \$150,000; additional fitting-out crane on quaywall, \$150,000.

New York, N. Y.

Navy Yard, New York, New York: Weight-handling and transportation equipment, \$200,000; improvement of power plant, \$190,000; improvement of services to shipbuilding area, \$450,000; boiler and compressor building and accessories, \$100,000.

Navy Yard, Norfolk, Virginia: Improvement of power plant, \$430,000; improvement of distributing systems, \$515,000.

Navy Yard, Pearl Harbor, Territory of Hawaii: Completion of twenty-five ton floating derrick, YD69, \$150,000; improvement and rearrangement of shop buildings, \$200,000; extension of administration building and accessories, \$270,000; fifteen- and twenty-five-ton traveling cranes for repair basin, \$200,000; automatic telephone system, \$50,000; fire engine, \$10,000; fleet landings and accessories, \$55,000.

Navy Yard, Philadelphia, Pennsylvania: Extension of structural assembly shop and accessories, \$385,000; outside power connection to public utility company, \$50,000; lighting boundary fence, \$60,000.

Navy Yard, Portsmouth, New Hampshire: Extension of fitting-out berth, \$275,000; outside power connection to public-utility company, \$50,000.

Navy Yard, Puget Sound, Washington: Extension of shipfitters' shop, assembly bay, and accessories, \$450,000; connecting tunnel, drydock numbered 3 to drydock numbered 1 pumphouse, \$100,000; outside power connection to public-utility company, \$35,000; completion of electric system on pier numbered 6, \$150,000; improvement of electric system on pier numbered 4, \$90,000; improvement of central power plant, \$300,000.

Navy Yard, Washington, District of Columbia: Weight-handling and transportation equipment, \$75,000; replacement of fire-alarm system, \$40,000; extension of gun assembly shop building, \$700,000; extension of optical shop building, \$300,000; improvement of electric system, \$200,000; improvement of electric generating facilities, \$250,000; extension of proof shop building, \$300,000.

Navy Yard, Washington (Alexandria, Virginia), District of Columbia: Extension of torpedo-shop building, \$145,000.

Naval Academy, Annapolis, Maryland: Additional facilities, \$1,985,000.

Naval station, Guam: Quarters and accessories and services for officers, \$277,000.

Naval station, Key West, Florida: Rehabilitation of submarine-base facilities and construction of marine railway, \$1,250,000.

Naval station, Guantanamo, Cuba: Extension of medical storehouse and dispensary, \$15,000.

Naval station, Tutuila, Samoa: Dispensary building and accessories, \$180,000.

Fleet-operating base, Guantanamo, Cuba: Dredging and moorings, \$2,000,000; shore facilities, including berthing, fleet landings, recreation facilities, power and service lines, \$3,000,000.

Naval operating base, Norfolk, Virginia: Storage for experimental-type boats and landing gear, \$400,000; medical-supply storehouse and accessories, \$275,000.

Submarine base, Charlotte Amalie, Virgin Islands: Diesel-oil storage, \$30,000; administration building and accessories, \$60,000; bachelor officers' quarters and accessories, \$75,000; dispensary building and accessories, \$50,000; storehouse and accessories, \$125,000; extension of tender pier, \$60,000; bulkhead and piers, \$200,000; miscellaneous small buildings and accessories, \$71,000.

Submarine base, Norfolk, Virginia: Replacement of finger piers, \$300,000; rehabilitation of north breakwater, \$135,000; dredging, \$150,000; battery charging and electric service, \$100,000; storage buildings and accessories, \$65,000.

Submarine base, Pearl Harbor, Territory of Hawaii: Addition to battery overhaul building, \$45,000; addition to utility-shop building, \$55,000; extension of quaywall, \$560,000; individual storehouse and accessories, \$30,000; improvement of battery charging and electric distribution, \$278,000.

Norfolk, Va.

Pearl Harbor, T. H.

Philadelphia, Pa.

Portsmouth, N. H.

Puget Sound, Wash.

Washington, D. C.

Washington (Alexandria, Va.), D. C.

Annapolis, Md.

Guam.

Key West, Fla.

Guantanamo, Cuba.

Tutuila, Samoa.

Guantanamo, Cuba.

Norfolk, Va.

Charlotte Amalie, V. I.

Norfolk, Va.

Pearl Harbor, T. H.

- San Diego, Calif. Destroyer base, San Diego, California: Brig and marine guard building and accessories, \$80,000; barracks and mess hall building and accessories, \$450,000; shop buildings, \$220,000; cruiser graving dry-dock and accessories, \$3,000,000; improvement of power plant and distributing systems, \$130,000; temporary storehouses, \$500,000.
- Washington, D. C. Naval Observatory, Washington, District of Columbia: Instrument repair and storage building and accessories, \$250,000.
- Great Lakes, Ill. Naval training station, Great Lakes, Illinois: Outside power connection to public-utility company, \$25,000; improvement of power plant, \$450,000; improvement of sewage-disposal system, \$125,000; and temporary construction and facilities for additional enlisted personnel, \$1,750,000.
- Newport, R. I. Naval Training Station, Newport, Rhode Island: Temporary construction and facilities for additional enlisted personnel, \$800,000.
- Norfolk, Va. Naval Training Station, Norfolk, Virginia: Temporary construction and facilities for additional enlisted personnel, \$1,950,000.
- San Diego, Calif. Naval Training Station, San Diego, California: Temporary construction and facilities for additional enlisted personnel, \$1,250,000.
- Balboa, C. Z. Naval ammunition depot, Balboa, Canal Zone: Road to ammunition depot, \$85,000; quarters and accessories for married enlisted men, \$190,000; quarters and accessories for officer, \$14,500.
- Charleston, S. C. Naval ammunition depot, Charleston, South Carolina: Ammunition storage facilities, \$1,500,000.
- Baldwin, N. Y. Naval ordnance plant, Baldwin, New York: Ammunition loading building, \$53,000.
- Dahlgren, Va. Naval proving ground, Dahlgren, Virginia: Extension of garage, \$20,000; extension of powerhouse, \$75,000; locomotive crane shed, \$20,000; small-boat harbor, Piney Point, \$25,000; carpenter-shop building, \$25,000; transfer tide bridge, \$6,000; extension of service lines to hangar, \$35,000; barracks building for marine guard, \$25,000; quarters and accessories for officers, \$75,000; quarters and accessories for married enlisted men, \$90,000; purchase of land for spotting ranges, \$12,000.
- Fort Mifflin, Pa. Naval ammunition depot, Fort Mifflin, Pennsylvania: Improvement of fire protection, \$36,000; projectile loading plant building, \$45,000; extension of electric system, \$40,000.
- Hawthorne, Nev. Naval ammunition depot, Hawthorne, Nevada: Mine filling plant buildings, \$400,000; loading platform and siding, \$150,000; torpedo storehouse and accessories, \$90,000; quarters and accessories for officers, \$20,000; quarters and accessories for married enlisted men and civilians, \$150,000; alterations to quarters buildings, \$22,000.
- Indianhead, Md. Naval powder factory, Indianhead, Maryland: Marine barracks and accessories, \$125,000; additional power-plant facilities, \$300,000; D loading plant building and equipment, \$300,000; quarters and accessories for officers, \$30,000.
- Iona Island, N. Y. Naval ammunition depot, Iona Island, New York: Extension of main wharf, \$70,000; storage building, \$150,000; sewage-disposal system, \$34,000; extension of D loading plant, \$60,000; outside power connection to public-utilities company, \$30,000.
- Keyport, Wash. Naval torpedo station, Keyport, Washington: Auxiliary electric-power facilities, \$35,000; maintenance building and accessories, \$100,000; extension of torpedo storehouse, \$95,000; extension of garage, \$25,000; torpedo-shop building and accessories, \$275,000; paving and street lighting, \$100,000.
- Lake Denmark, N. J. Naval ammunition depot, Lake Denmark, New Jersey: Equipment-storage building, \$15,000; improvement of power plant, \$62,000; improvement of steam-distribution system, \$15,000.
- Mare Island, Calif. Naval ammunition depot, Mare Island, California: Mine-handling facilities, including assembly plant, \$695,000; guardhouse and barracks, \$100,000; pier, \$525,000; fencing, \$80,000.

Naval torpedo station, Newport, Rhode Island: Extension of fuze and primer building, \$100,000; administration building, \$280,000; extension of dispensary building, \$20,000; extension of sea wall, \$55,000; magazine buildings, \$5,000; coal-handling equipment for power plant, \$50,000; reconstruction of yardcraft building and improvement of water front, \$105,000; alcohol and paint storehouse, \$20,000; torpedo assembly plant and accessories, \$750,000; extension of administration building, \$200,000; extension of barracks for school for torpedo men, \$150,000.

Naval ammunition depot, Oahu, Territory of Hawaii: Storehouse for inert materials, \$25,000.

Naval ammunition depot, Puget Sound, Washington: Bag filling house, \$100,000; extension of railroad tracks, \$50,000; marine barracks building and accessories, \$120,000; emergency power plant, \$50,000; replacement of pier, \$200,000; quarters and accessories for officer, \$14,500.

Naval ammunition depot, Saint Juliens Creek, Virginia: Fireproof ceilings for magazine building, \$70,000; powder bag filling house, \$100,000; tracer loading building, \$100,000; projectile and case loading facilities, \$250,000; explosive-loading plant, \$200,000; storage building, \$125,000.

Naval mine depot, Yorktown, Virginia: Roads and railroad barricades, \$125,000; TNT reclamation plant, \$100,000; mine-assembly building, \$150,000; quarters and accessories for officers, \$29,000.

Additional ordnance facilities at naval air stations, \$1,697,000.

Naval air station, Alameda, California: Seaplane ramp, \$60,000; improvement of, and services for, outlying fields, \$150,000.

Naval air station, Anacostia, District of Columbia: Paint and oil storehouse, \$6,000; outside power connection to public-utility company, \$10,000.

Naval air station, Cape May, New Jersey: Improvement of water front, \$350,000.

Naval air station, Coco Solo, Canal Zone: Relocation of VJ Hangar, building numbered 123, \$15,000; additional sea wall, filling, and grading, \$225,000; seaplane hangar, \$450,000; additional paving and services around hangar, \$160,000; additional gasoline storage, \$260,000; aircraft storehouse, \$285,000; extension of railroad tracks, \$75,000; barracks and messhall building, \$900,000; aircraft operations building, \$125,000; garage, \$60,000; additional gasoline storage, \$620,000.

Marine aviation facilities, Charlotte Amalie, Virgin Islands: Gasoline storage, pump house, and supply lines, \$60,000; recreation facilities, including buildings, \$15,000; filling lagoon, \$120,000; additional housing for naval personnel, \$92,000; seaplane hangar, \$250,000; bomb sight storehouse and shop building, \$5,000.

Naval air station, Guantanamo, Cuba: Torpedo and bomb sight storehouse and shop, \$25,000; extension of barracks building, \$150,000; landplane hangars, McCalla Hill, \$325,000; extension of runways, McCalla Hill, \$75,000.

Naval air station, Jacksonville, Florida: Additional gasoline storage, \$260,000.

Naval air station, Kaneohe Bay, Territory of Hawaii: Grading and surfacing landing mat, \$563,000; additional gasoline storage, \$1,400,000; purchase of land, \$500,000.

Naval air station, Kodiak, Alaska: Seaplane ramp and taxiway, Saint Paul Harbor, \$250,000; additional gasoline storage, \$255,000.

Naval air station, Midway Island: Additional gasoline storage, \$100,000; clearing, grading, and surfacing landing field, \$300,000.

Newport, R. I.

Oahu, T. H.

Puget Sound, Wash.

Saint Juliens Creek,
Va.

Yorktown, Va.

Naval air stations.
Alameda, Calif.

Anacostia, D. C.

Cape May, N. J.

Coco Solo, C. Z.

Charlotte Amalie,
V. I.Guantanamo,
Cuba.

Jacksonville, Fla.

Kaneohe Bay, T. H.

Kodiak, Alaska.

Midway Island.

- Pearl Harbor, T. H. Naval air station, Pearl Harbor, Territory of Hawaii: Improvement of landing field, \$250,000; connecting pier to mooring F-6, \$130,000; extension and improvement of roads, \$75,000; aircraft storehouse, \$250,000; laundry building and equipment, \$75,000; practice-bomb storage, \$10,000; first-aid and decontamination station, \$15,000; landplane hangars, \$500,000; warming-up platform and parking area, \$340,000; seaplane ramps and parking area, \$1,054,000; recreation facilities, including buildings, \$175,000; fleet-squadrons storehouse, \$60,000.
- Key West, Fla. Naval air station, Key West, Florida: Purchase of land, \$125,000.
Ante, p. 230.
- Norfolk, Va. Naval air station, Norfolk, Virginia: Fleet-squadrons storehouse, \$75,000; extension and improvement of engine-test building, \$135,500.
- Pensacola, Fla. Naval air station, Pensacola, Florida: Extension of aircraft storehouse, \$150,000; outside power connections to public utility company, \$55,000.
- Quantico, Va. Marine Corps Flying Field, Quantico, Virginia: Extension of motor-test building, \$70,000; extension of flying field northward, \$110,000; guardhouse and accessories, \$9,000; extension of aircraft storehouse, \$175,000; barracks and mess hall, Brown Field, \$325,000.
- San Juan, P. R. Naval air station, San Juan, Puerto Rico: Additional gasoline storage, \$264,000; replacement of quarantine facilities, \$375,000.
- Seattle, Wash. Naval air station, Seattle, Washington: Grading and improvement of outlying fields, \$150,000; additional gasoline storage, \$100,000.
- Sitka, Alaska. Naval air station, Sitka, Alaska: Extension of seaplane hangar, \$500,000.
- Squantum, Mass. Reserve aviation base, Squantum, Massachusetts: Dredging for seaplane approaches, \$117,000; dredging ship channel to present eighteen-foot channel, \$94,000.
- Philadelphia, Pa. Naval Aircraft Factory, Philadelphia, Pennsylvania: Improvement of water front and extension of flying field, \$190,000.
- Parris Island, S. C. Air activities, marine barracks, Parris Island, South Carolina: Landplane hangar, \$250,000; road from marine barracks to Page Field, \$35,000.
- Brooklyn, N. Y. Medical supply depot, Brooklyn, New York: Extension of medical-supply storehouse, including purchase of land, \$351,000.
- Great Lakes, Ill. Naval hospital, Great Lakes, Illinois: Additional ward buildings, \$340,000.
- Guam. Naval hospital, Guam: Isolation and tuberculosis wards, \$75,000.
- Mare Island, Calif. Naval hospital, Mare Island, California: Administration and subsistence building, \$475,000.
- Norfolk, Va. Naval hospital, Norfolk, Virginia: Additional wards and hospital facilities, \$669,000.
- Pearl Harbor, T. H. Naval hospital, Pearl Harbor, Territory of Hawaii: Medical-supply storehouse, \$275,000.
- Pensacola, Fla. Naval hospital, Pensacola, Florida: Additional ward buildings, \$350,000; barracks and accessories for corpsmen, \$75,000; quarters and accessories for nurses, \$75,000.
- Annapolis, Md. Naval radio station, Annapolis, Maryland: Additional facilities, including buildings, quarters, and services, \$140,000.
- Bainbridge Island, Wash. Naval radio station, Bainbridge Island, Washington: Radio facilities, including buildings and purchase of land, \$75,000.
- Balboa, C. Z. Naval radio station, Balboa, Canal Zone: Radio-receiving station, including buildings and accessories, \$650,000.
- Dutch Harbor, Alaska. Naval radio station, Dutch Harbor, Alaska: Additional radio facilities, including buildings and accessories, \$30,500.
- Eureka, Calif. Naval radio station, Eureka, California: Quarters and accessories, \$15,000.
- Folly Island, S. C. Naval radio-direction-finder station, Folly Island, South Carolina: Reconstruction of station at new location, \$75,000.

Naval radio station, Gatun, Canal Zone: Quarters and accessories, \$40,000.

Naval radio station, Jupiter, Florida: Barracks, compass house, and quarters building, \$65,000.

Naval radio station, Point Arguello, California: Quarters and accessories, \$6,000; powerhouse, garage, and dormitory building, \$27,000.

Naval radio station, Poyners Hill, North Carolina: Barracks, compass house, and quarters building and services, \$72,000.

Naval direction-finder station, Sandy Hook, New Jersey: Radio buildings and facilities and services, \$70,000.

Naval radio station, Summit, Canal Zone: Quarters and accessories for operators, \$72,000; extension of radio facilities, \$196,000.

Naval Research Laboratory, Bellevue, District of Columbia: Extension of chemical laboratory building, \$90,000; improvement of water front, \$160,000.

Marine barracks, Parris Island, South Carolina: Power and ice-plant building and accessories and equipment, \$500,000; outside power connection to public-utility company, \$10,000; magazines, \$10,000; repairs and replacements to make good storm damage of August 12, 1940, \$1,750,000; additional construction for increase in Marine Corps personnel, \$2,000,000.

Marine Corps depot of supplies, Philadelphia, Pennsylvania: Storage buildings and accessories, \$1,300,000.

Marine barracks, Quantico, Virginia: Barracks for school detachment, \$100,000; outside power connection to public-utility company, \$35,000; magazines, \$10,000.

Marine Corps: Extension of training areas, \$2,000,000.

Naval supply depot, Norfolk, Virginia: Replacement of pier and accessories, \$3,200,000.

Naval supply depot, San Diego, California: Extension of pier and transit shed, \$1,700,000.

Naval supply depot, Oakland, California: Medical supply storehouse, \$300,000.

Naval fuel depot, Pearl Harbor, Territory of Hawaii: Additional development of underground fuel storage, \$2,500,000.

Facilities for reserve midshipmen at such locations as the Secretary of the Navy, with the approval of the President, may select, \$250,000.

Tenth naval district: Headquarters facilities, including administration building, quarters for officers and married enlisted men, and barracks building and accessories, \$450,000.

Fourteenth naval district: Dredging of channels and harbors, \$1,500,000; fleet moorings, \$250,000.

Fifteenth naval district: Additional storage facilities, including buildings and accessories, \$1,000,000; housing for naval personnel, including buildings and accessories, \$1,527,000.

Receiving barracks for crews of ships going into commission at various locations, \$2,200,000.

Storage for aviation gasoline at various locations, \$2,500,000.

The provisions of section 4 of the Act approved April 25, 1939 (53 Stat. 590-592), shall be applicable to all public works and public utilities projects provided in this title, regardless of location: *Provided*, That the fixed fee to be paid the contractor as a result of any contract hereafter entered into under the authority of the above-mentioned Act shall not exceed 6 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy.

To enable the Secretary of the Navy to expedite the construction or provision of the public works and public utilities projects mentioned in this Act, the limit of cost indicated for each of such projects may, in the discretion of the Secretary of the Navy, be varied upward

- Gatun, C. Z.
- Jupiter, Fla.
- Point Arguello, Calif.
- Poyners Hill, N. C.
- Sandy Hook, N. J.
- Summit, C. Z.
- Bellevue, D. C.
- Parris Island, S. C.
- Philadelphia, Pa.
- Quantico, Va.
- Marine Corps, Norfolk, Va.
- San Diego, Calif.
- Oakland, Calif.
- Pearl Harbor, T. H.
- Facilities for reserve midshipmen.
- Tenth naval district.
- Fourteenth naval district.
- Fifteenth naval district.
- Receiving barracks.
- Storage for aviation gasoline. Cost-plus-a-fixed-fee contracts.
- Proviso.* Limitation on fixed fee.
- Variance of cost limitations.

or downward by an amount not to exceed 10 per centum, but the aggregate of all such limits of cost shall not be exceeded.

Continued employment of personnel.

The Secretary of the Navy is hereby authorized to continue the employment, in the District of Columbia and elsewhere, of such employees now carried on the rolls as will be required for the preparation of plans and specifications and administrative work in connection with the public-works and public-utilities projects mentioned in this Act.

Ante, p. 282.

BUREAU OF AERONAUTICS

Plant expansion, etc.

Aviation, Navy, including plant expansions and facilities in private plants and outfits for messes of aviation cadets and bachelor officers at air stations, \$180,000,000: *Provided*, That in addition to the amount herein appropriated, the Secretary of the Navy may prior to July 1, 1941, enter into contracts for production and purchase of new aircraft and equipment, spare parts, and accessories in an amount not to exceed \$375,000,000: *Provided further*, That not to exceed \$1,000,000 of the total amount herein appropriated and available for contractual obligation may be used for the procurement of nonrigid lighter-than-air craft: *Provided further*, That the Secretary of the Treasury is authorized and directed, upon the request of the Secretary of the Navy, to transfer not to exceed in the aggregate \$300,000 from this appropriation to the appropriations "Pay, subsistence, and transportation, Navy", and "Pay, Marine Corps", to cover authorized traveling expenses of officers and enlisted men in connection with flying new airplanes from contractor's works to assigned station or ship, including travel to contractor's works and return of personnel to stations of duty, and the amount so transferred shall be in addition to any limitations contained in the appropriations "Pay, subsistence, and transportation, Navy", and "Pay, Marine Corps".

Proviso.
Contracts for new aircraft, etc.

Nonrigid lighter-than-air craft.

Transfer of funds.

Ante, p. 283.

MARINE CORPS

General expenses, Marine Corps, \$7,000,000.

Ante, p. 286.

ALTERATIONS TO NAVAL VESSELS

Proviso.
Authority to exceed statutory limit.

Alterations to naval vessels, including the acquisition and conversion of vessels for naval auxiliaries of all kinds, \$75,000,000, to remain available until expended: *Provided*, That the Secretary of the Navy is authorized to exceed the statutory limit in conversion of vessels converted with these funds.

Ante, p. 286.

REPLACEMENT OF NAVAL VESSELS

Construction and machinery.

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part), for the necessary tools, equipment, and facilities in naval establishments or private plants for shipbuilding and for the commencement of one hundred and nine thousand three hundred tons of combatant vessels authorized by the Act of March 27, 1934 (48 Stat. 501), eight auxiliary vessels authorized by the Act approved May 17, 1938 (52 Stat. 401-403), seventy-five thousand tons of auxiliary vessels authorized by the Act approved June 14, 1940 (Public, Numbered 629, Seventy-sixth Congress (H. R. 8026)), and one million three hundred and twenty-five thousand tons of combatant vessels, one hundred thousand tons of auxiliary vessels, and patrol craft, authorized by the Act approved July 19, 1940 (Public, Numbered 757, Seventy-sixth Congress), \$93,000,000, to remain available until expended.

48 Stat. 503.
34 U. S. C. §§ 494-497; Supp. V, § 496.
34 U. S. C., Supp. V, §§ 498-498k.
Ante, p. 394.

Ante, p. 779.

Armor, armament, and ammunition: Toward the armor, armament, and ammunition for vessels hereinbefore described under the head of "Construction and machinery", to remain available until expended, \$90,000,000, including \$68,000,000 for the necessary machine tools, equipment, land, and facilities for existing or additional naval establishments or private plants for the production of armor, armament, and ammunition, and, in addition, the Secretary of the Navy may enter into contracts not to exceed \$47,000,000 for the same purposes.

The first paragraph of section 2 (b) and subdivision (1) of such section 2 (b) of the Act approved June 28, 1940 (Public, Numbered 671, Seventy-sixth Congress), are hereby amended to read as follows:

"(b) After the date of approval of the Second Supplemental National Defense Appropriation Act, 1941, no contract shall be made for the construction or manufacture of any complete naval vessel or any portion thereof, under the provisions of this section or otherwise, unless the contractor agrees, for the purposes of section 3 of the Act of March 27, 1934 (48 Stat. 505; 34 U. S. C. 496), as amended—

"(1) to pay into the Treasury profit in excess of 8 per centum (in lieu of the 10 per centum specified in such section 3) of the total contract prices of such contracts within the scope of this subsection as are completed by the particular contracting party within the income taxable year;"

There may be detailed to the Bureau of Navigation not to exceed at any one time twenty-five enlisted men of the Navy in lieu of the seven enlisted men as authorized by the Naval Appropriation Act for the fiscal year 1941, and to the Bureau of Operations not to exceed at any one time twelve enlisted men of the Navy in addition to those detailed to Naval Communications and the Office of Naval Intelligence.

NAVY DEPARTMENT

Salaries: For compensation for personal services in the District of Columbia, as follows:

- Office of the Secretary of the Navy, \$20,000.
- Office of the Chief of Naval Operations, \$20,000.
- Office of the Director of Naval Communications, \$10,080.
- Contingent expenses, \$50,000.
- Printing and binding, \$50,000.

SEC. 201. To the President for allocation to the War Department and the Navy Department for the acquisition of necessary land and the construction of housing units, including necessary utilities, roads, walks, and accessories, at locations on or near Military or Naval Establishments, now in existence or to be built, or near privately owned industrial plants engaged in military or naval activities, which for the purposes of this Act shall be construed to include activities of the Maritime Commission, where the Secretary of War, the Secretary of the Navy, or the Chairman of the Maritime Commission shall certify that such housing is important for purposes under their respective jurisdiction and necessary to the national defense program, \$100,000,000: *Provided*, That the average unit cost of such housing projects, including acquisitions of land and the installation of necessary utilities, roads, walks, accessories and collateral expenses shall not be in excess of \$3,500: *Provided further*, That in carrying out the purposes of this section the Secretary of War and the Secretary of the Navy may utilize such other agencies of the United States as they may determine upon: *Provided further*, That the Secretary of War and the Secretary of the Navy, at their discretion, are hereby authorized to rent such housing units, upon completion, to enlisted men of the Army, Navy, Marine Corps with families, to field employees of

Armor, armament, and ammunition.

Ante, p. 677; *post*, p. 1003.

Contract agreement.

34 U. S. C., Supp. V, § 496.

Post, p. 1003.
Profit in excess of 8 per centum, disposition.

Details to designated Bureaus.

Ante, p. 237.

Ante, p. 288.

Ante, p. 289.

Ante, p. 290.

Allocations to War and Navy Departments for construction of housing units, etc.
Ante, p. 681; *post*, pp. 1115, 1125.

Provisos.
Limitation on average unit cost.

Utilization of other U. S. agencies.

Rentals to enlisted men, etc.

Use of rental receipts.

Cost-plus-a-fixed-fee contracts.

Citation of title.

Ante, p. 287.

Inapplicability to War and Navy Departments of certain postal requirements.

39 U. S. C., Supp. V, § 321b.

Government contracts. Applicability of provisions of designated Acts.

40 U. S. C., Supp. V, § 276a.
41 U. S. C., Supp. V, §§ 35-45.

Wages of laborers, etc.; computation.

Short title.

the Military and Naval Establishments with families, and to workers with families who are engaged, or to be engaged, in industries essential to the military and naval national defense programs, including work on ships under the control of the Maritime Commission. The Secretary of War and the Secretary of the Navy are further authorized to use such rentals as may be collected from each housing project for the management and maintenance of the housing units therein, including utilities, roads, walks, and accessories, and to set up special reserve accounts for the amortization of the cost of the project: *Provided further*, That the authority of existing law for the negotiation of cost-plus-a-fixed-fee contracts shall be applicable to housing projects for which funds may be made available to the War and Navy Departments or the Maritime Commission.

SEC. 202. This title may be cited as "Title IV of the Naval Appropriation Act for the fiscal year 1941".

TITLE III—GENERAL PROVISIONS

SEC. 301. That during the period of the national emergency declared by the President on September 8, 1939, to exist, so much of section 6 of the Act approved May 6, 1939 (53 Stat. 683), as amended by section 2 of the Act approved June 30, 1939 (53 Stat. 989), as requires the head of each executive department (other than the Post Office Department) to submit to the Postmaster General quarterly reports relating to mail matter which has been transmitted free of postage, is hereby suspended, insofar as the War and Navy Departments are concerned.

SEC. 302. Nothing in Titles I and II hereof shall be deemed to render inapplicable the provisions of the Act of March 3, 1931, as amended by the Act of August 30, 1935 (49 Stat. 1011; U. S. C., title 40, sec. 276 (a)), or the provisions of the Act of June 30, 1936 (49 Stat. 2036; U. S. C., title 41, secs. 35-45), to any contract or contracts to which the provisions of either or both of such Acts would otherwise apply.

SEC. 303. Notwithstanding any other provision of law, the wages of every laborer and mechanic employed by any contractor or subcontractor engaged in the performance of any contract of the character specified in the Act of June 19, 1912 (37 Stat. 138; U. S. C., title 40, secs. 324, 325), shall be computed on a basic day rate of eight hours per day and work in excess of eight hours per day shall be permitted upon compensation for all hours worked in excess of eight hours per day at not less than one and one-half times the basic rate of pay.

SEC. 304. This Act may be cited as the "Second Supplemental National Defense Appropriation Act, 1941".

Approved, September 9, 1940, 9 a. m., E. S. T.

[CHAPTER 718]

AN ACT

September 11, 1940
[S. 4272]
[Public, No. 782]

To amend the Act approved March 4, 1925, entitled "An Act providing for sundry matters affecting the naval service, and for other purposes", as amended.

Naval Reserve Officers' Training Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 of the Act approved March 4, 1925, entitled "An Act providing for sundry matters affecting the naval service, and for other purposes" (43 Stat. 1276; U. S. C., title 34, sec. 821), as amended by the Act approved August 6, 1937 (50 Stat. 563; U. S. C., supp. V, title 34, sec. 821), is hereby further amended by deleting the words "twenty-four hundred" in the last line of the section, and by inserting in lieu thereof the words "seventy-two hundred".

Increase of total personnel.

Approved, September 11, 1940.