

47 Stat. 406.

section 212 of title II of the Act entitled "An Act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes", approved June 30, 1932, as amended (U. S. C., 1940 edition, title 5, sec. 59a; Supp. IV, title 5, sec. 59b).

APPROPRIATION AUTHORIZED

SEC. 609. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 610. This Act shall take effect on July 1, 1945.

Approved June 30, 1945.

[CHAPTER 213]

AN ACT

June 30, 1945
[S. 937]
[Public Law 107]

To amend the Act suspending until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws, so as to continue such suspension until June 30, 1946.

Antitrust laws.
Suspension of running of statute of limitations.

15 U. S. C., Supp. IV, § 16 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to suspend until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws", approved October 10, 1942 (56 Stat. 781; U. S. C., Supp. III, title 15, note following sec. 16), is amended by striking out the date "June 30, 1945" where it appears in such section and inserting in lieu thereof the date "June 30, 1946".

Approved June 30, 1945.

[CHAPTER 214]

JOINT RESOLUTION

June 30, 1945
[S. J. Res. 30]
[Public Law 108]

Extending the effective period of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

56 Stat. 24.
50 U. S. C., Supp. IV, app. § 901 (b).

56 Stat. 767.
50 U. S. C., Supp. IV, app. § 966.

56 Stat. 25.
50 U. S. C., Supp. IV, app. § 902 (b).
Defense-area housing rentals.

Establishment of maximum rents.

Rents prevailing April 1, 1941.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (b) of the Emergency Price Control Act of 1942, as amended, is amended by striking out "June 30, 1945" and substituting "June 30, 1946".

SEC. 2. Section 6 of the Stabilization Act of 1942, as amended, is amended by striking out "June 30, 1945" and substituting "June 30, 1946".

SEC. 3. Section 2 (b) of the Emergency Price Control Act of 1942, as amended, is hereby amended to read as follows:

"(b) Whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of this Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area. If within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of this Act. So far as practicable, in establishing any maximum rent for any defense-area housing accommodations, the Administrator shall ascertain and give

due consideration to the rents prevailing for such accommodations, or comparable accommodations, on or about April 1, 1941 (or if, prior or subsequent to April 1, 1941, defense activities shall have resulted or threatened to result in increases in rents for housing accommodations in such area inconsistent with the purposes of this Act, then on or about a date (not earlier than April 1, 1940), which in the judgment of the Administrator, does not reflect such increases), and he shall make adjustments for such relevant factors as he may determine and deem to be of general applicability in respect of such accommodations, including increases or decreases in property taxes and other costs within such defense-rental area. In designating defense-rental areas, in prescribing regulations and orders establishing maximum rents for such accommodations, and in selecting persons to administer such regulations and orders, the Administrator shall, to such extent as he determines to be practicable, consider any recommendations which may be made by State and local officials concerned with housing or rental conditions in any defense-rental area. Whenever the Administrator shall find that, in any defense-rental area or any portion thereof specified by him, the availability of adequate rental housing accommodations and other relevant factors are such as to make rent control unnecessary for the purpose of eliminating speculative, unwarranted, and abnormal increases in rents and of preventing profiteering, and speculative and other disruptive practices resulting from abnormal market conditions caused by congestion, the controls imposed upon rents by authority of this Act in such defense-rental area or portion thereof shall be forthwith abolished; but whenever in the judgment of the Administrator it is necessary or proper, in order to effectuate the purpose of this Act, to reestablish the regulation of rents in any such defense-rental area or portion thereof, he may forthwith by regulation or order reestablish maximum rents for housing accommodations therein in accordance with the standards set forth in this Act. Before issuing any regulation or order under the foregoing provisions of this subsection, the Administrator shall, so far as practicable, advise and consult with representative members of the industry which will be affected by such regulation or order, and shall give consideration to their recommendations. The Administrator shall, at the request of any substantial portion of the industry subject to such regulation or order of the Administrator, appoint a national industry advisory committee, or committees, in the same manner and form and with the same powers and duties as provided in subsection (a) for industry advisory committees relating to price."

SEC. 4. Section 2 of the Emergency Price Control Act of 1942, as amended, is amended by inserting at the end of such section a new subsection as follows:

"(n) In establishing or maintaining maximum prices under this Act or otherwise in the case of collect-on-delivery sales of any commodity where under established practices of the seller a uniform charge is added to the price to cover mailing costs, an increase in maximum prices shall be allowed equivalent to any increase in such costs heretofore or hereafter resulting from increased postal rates or charges."

SEC. 5. (a) Subsection (e) of section 3 of the Emergency Price Control Act of 1942, as amended, is amended to read as follows:

"(e) Notwithstanding any other provision of this or any other law, no action shall be taken under this Act by the Administrator or any other person, without prior written approval of the Secretary of Agriculture, with respect to any agricultural commodity or with respect to any regulation, order, price schedule or other requirement applicable to any processor with respect to any food or feed product processed or manufactured in whole or substantial part from any

Recommendations
by State and local
officials.

Withdrawal of con-
trols.

Reestablishment.

Consultation, etc.,
with members of af-
fected industry.

National industry
advisory committee.

56 Stat. 24.
50 U. S. C., Supp.
IV, app. § 902.
Ante, pp. 51, 306.

Collect - on - deliv-
ery sales.

56 Stat. 28.
50 U. S. C., Supp.
IV, app. § 903 (e).
Agricultural com-
modities.
Approval of Secre-
tary of Agriculture.

Individual adjust-
ments.

Enforcement.
56 Stat. 30, 33.
50 U. S. C., Supp.
IV, app. §§ 922, 925.

56 Stat. 36.
50 U. S. C., Supp.
IV, app. § 942.

Livestock.
58 Stat. 639.
50 U. S. C., Supp.
IV, app. § 924 (e).

Leave to file com-
plaint in Emergency
Court of Appeals.

Supra.
35 Stat. 1096.
18 U. S. C. § 88.
56 Stat. 24.
Ante, pp. 51, 306, 307.
56 Stat. 35.
50 U. S. C., Supp.
IV, app. § 926.

56 Stat. 31.
50 U. S. C., Supp.
IV, app. § 923 (a).
Jurisdiction of court.

Stay in proceeding.
56 Stat. 33.
50 U. S. C., Supp.
IV, app. § 925.
35 Stat. 1096.
18 U. S. C. § 88.

Supra.

Grant of stays in
civil proceedings.

agricultural commodity; except that (1) the foregoing provisions of this subsection shall not apply in the case of any individual adjustment making an increase in a maximum price, and (2) the Administrator may take such action as may be necessary under section 202 and section 205 to enforce compliance with any regulation, order, price schedule or other requirement which is lawfully in effect."

(b) Section 302 of the Emergency Price Control Act of 1942, as amended, is amended by inserting after paragraph (k) thereof a new paragraph as follows:

"(l) The term 'agricultural commodity' includes livestock."

SEC. 6. Section 204 (e) of the Emergency Price Control Act of 1942, as amended, is amended to read as follows:

"(e) (1) Within thirty days after arraignment, or such additional time as the court may allow for good cause shown, in any criminal proceeding, and within five days after judgment in any civil or criminal proceeding, brought pursuant to section 205 of this Act or section 37 of the Criminal Code, involving alleged violation of any provision of any regulation or order issued under section 2 or of any price schedule effective in accordance with the provisions of section 206, the defendant may apply to the court in which the proceeding is pending for leave to file in the Emergency Court of Appeals a complaint against the Administrator setting forth objections to the validity of any provision which the defendant is alleged to have violated or conspired to violate. The court in which the proceeding is pending shall grant such leave with respect to any objection which it finds is made in good faith and with respect to which it finds there is reasonable and substantial excuse for the defendant's failure to present such objection in a protest filed in accordance with section 203 (a). Upon the filing of a complaint pursuant to and within thirty days from the granting of such leave, the Emergency Court of Appeals shall have jurisdiction to enjoin or set aside in whole or in part the provision of the regulation, order, or price schedule complained of or to dismiss the complaint. The court may authorize the introduction of evidence, either to the Administrator or directly to the court, in accordance with subsection (a) of this section. The provisions of subsections (b), (c), and (d) of this section shall be applicable with respect to any proceeding instituted in accordance with this subsection.

"(2) In any proceeding brought pursuant to section 205 of this Act or section 37 of the Criminal Code, involving an alleged violation of any provision of any such regulation, order or price schedule, the court shall stay the proceeding—

"(i) during the period within which a complaint may be filed in the Emergency Court of Appeals pursuant to leave granted under paragraph (1) of this subsection with respect to such provision;

"(ii) during the pendency of any protest properly filed by the defendant under section 203 prior to the institution of the proceeding under section 205 of this Act or section 37 of the Criminal Code, setting forth objections to the validity of such provision which the court finds to have been made in good faith; and

"(iii) during the pendency of any judicial proceeding instituted by the defendant under this section with respect to such protest or instituted by the defendant under paragraph (1) of this subsection with respect to such provision, and until the expiration of the time allowed in this section for the taking of further proceedings with respect thereto.

Notwithstanding the provisions of this paragraph, stays shall be granted thereunder in civil proceedings only after judgment and upon

application made within five days after judgment. Notwithstanding the provisions of this paragraph, in the case of a proceeding under section 205 (a) the court granting a stay under this paragraph shall issue a temporary injunction or restraining order enjoining or restraining, during the period of the stay, violations by the defendant of any provision of the regulation, order, or price schedule involved in the proceeding. If any provision of a regulation, order, or price schedule is determined to be invalid by judgment of the Emergency Court of Appeals which has become effective in accordance with section 204 (b), any proceeding pending in any court shall be dismissed, and any judgment in such proceeding vacated, to the extent that such proceeding or judgment is based upon violation of such provision. Except as provided in this subsection, the pendency of any protest under section 203, or judicial proceeding under this section, shall not be grounds for staying any proceeding brought pursuant to section 205 of this Act or section 37 of the Criminal Code; nor, except as provided in this subsection, shall any retroactive effect be given to any judgment setting aside a provision of a regulation or order issued under section 2 or of a price schedule effective in accordance with the provisions of section 206."

SEC. 7. Section 3 of the Stabilization Act of 1942, as amended, is further amended by inserting at the end thereof the following: "*Provided further*, That on and after the date of the enactment of this proviso, no maximum prices shall be established or maintained on products resulting from the processing of cattle and calves, lambs and sheep, and hogs, the processing of each species being separately considered, which, taken together, do not allow for a reasonable margin of profit to the processing industry as a group on each such species."

SEC. 8. The Stabilization Act of 1942, as amended, is amended by inserting after section 3 thereof a new section as follows:

"SEC. 3A. (a) While this Act is in effect, no quota or other slaughtering limitation shall be imposed upon any slaughterer of animals, under authority of this or any other law, if the Secretary of Agriculture has certified that the slaughtering plant is operated under sanitary conditions and that the meat produced therein is clean, wholesome, and suitable for human consumption; but certification under this section shall not be made with respect to any slaughtering plant (1) at which inspection is maintained under the Act of March 4, 1907 (34 Stat. 1260), with respect to all its slaughtering operations, or, (2) at which such inspection under such Act was previously maintained if, in the judgment of the Secretary of Agriculture, the slaughterer withdrew such plant from such inspection for the purpose of applying for certification under this section.

"(b) As a condition of making certification in the case of any such slaughterer, the Secretary of Agriculture may require that such slaughterer make available to the armed services of the United States, or for Government purchase, such percentage of the meat slaughtered and processed as he may deem necessary or advisable.

"(c) The Secretary of Agriculture may make the certification provided for under subsection (a) with respect to a designated part of a slaughtering plant without making such certification with respect to the remainder of such slaughtering plant, in which event the provisions of this section shall apply only to meat produced in such designated part of the slaughtering plant.

"(d) In order that he may make the certifications provided for under subsection (a), the Secretary of Agriculture may provide for inspection in such manner and by such persons as he may deem advisable.

56 Stat. 33.
50 U. S. C., Supp.
IV, app. § 925 (a).

Effect of court judgment.

56 Stat. 32.
50 U. S. C., Supp.
IV, § 924 (b).

56 Stat. 31.
50 U. S. C., Supp.
IV, app. § 923.
35 Stat. 1096.
18 U. S. C. § 88.

56 Stat. 24, 35.
50 U. S. C., Supp.
IV, app. §§ 902, 926.
Ante, pp. 51, 306, 307.
56 Stat. 766.
50 U. S. C., Supp.
IV, app. § 963.

Maximum prices on designated products, restriction.

Supra.

Certification of plant sanitary conditions.

Exceptions.

21 U. S. C. §§ 71-93;
Supp. IV, § 71 note.

Certification of part of plant.

Inspection.

Transportation of meat.

21 U. S. C. §§ 71-93; Supp. IV, § 71 note.

Refusal or revocation of certification.

Penalty provision.

“(e) Meat which is produced under the circumstances specified in this section shall have the same status for transportation in interstate or foreign commerce, when properly identified in accordance with regulations issued by the Secretary of Agriculture, as meat produced in plants at which inspection is maintained under the Act of March 4, 1907 (34 Stat. 1260).”

“(f) The Secretary of Agriculture may refuse or revoke certification in any case when he is not satisfied that the meat made available hereunder will be disposed of in legitimate trade channels in accordance with law.

“(g) The Secretary of Agriculture may revoke any certification under subsection (a) if it is found at any time that the slaughterer does not meet each of the conditions required under this section.

“(h) Nothing in this section shall prevent the termination, suspension, or limitation of the right of any person to slaughter if such person fails to comply with the price, rationing, or slaughter control requirements imposed under the authority of this or any other law.”

Approved June 30, 1945.

[CHAPTER 215]

JOINT RESOLUTION

June 30, 1945
[S. J. Res. 65]
[Public Law 109]

To transfer to the Reconstruction Finance Corporation the functions, powers, duties, and records of certain corporations.

Transfer to RFC of functions, etc., of designated corporations.

Corporations dissolved.

54 Stat. 573.
15 U. S. C. § 606b;
Supp. IV, § 606b.
15 U. S. C. § 605k-1;
Supp. IV, § 605k-1.

Liabilities of dissolved corporations.

Legal proceedings.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, all functions, powers, duties, and authority of the corporations hereinafter designated, are hereby transferred, together with all their documents, books of account, records, assets, and liabilities of every kind and nature, to Reconstruction Finance Corporation and shall be performed, exercised, and administered by that Corporation in the same manner and to the same extent and effect as if originally vested in Reconstruction Finance Corporation, and the designated corporations are hereby dissolved: Defense Plant Corporation, Metals Reserve Company, Rubber Reserve Company, and Defense Supplies Corporation, created by Reconstruction Finance Corporation pursuant to the Act of June 25, 1940 (54 Stat. 572), and Disaster Loan Corporation, created by the Act of February 11, 1937 (50 Stat. 19), are hereby designated as the corporations to which this joint resolution applies.

SEC. 2. The Reconstruction Finance Corporation shall assume and be subject to all liabilities, whether arising out of contract or otherwise, of the corporations dissolved by this joint resolution. No suit, action, or other proceeding lawfully commenced by or against any of such corporations shall abate by reason of the enactment of this joint resolution, but the court, on motion or supplemental petition filed at any time within twelve months after the date of such enactment, showing a necessity for the survival of such suit, action, or other proceeding to obtain a determination of the questions involved, may allow the same to be maintained by or against the Reconstruction Finance Corporation.

SEC. 3. This joint resolution shall take effect on July 1, 1945.

Approved June 30, 1945.