

hearing after reasonable notice thereof. All such hearings, investigations, and determinations shall be made under authority of reasonable rules and procedures prescribed by the Apprenticeship Council, subject to the approval of the Secretary of Labor.

(b) The determination of the Director shall be filed with the council. If no appeal therefrom is filed with the council within ten days after the date thereof, as herein provided, such determination shall become the order of the council. Any person aggrieved by any determination or action of the Director may appeal therefrom to the council, which shall hold a hearing thereon after due notice to the interested parties. Any person aggrieved or affected by any determination or order of the council may appeal therefrom to the District Court of the United States for the District of Columbia at any time within thirty days after the date of such order, by service of a written notice of appeal on the Director. Upon service of said notice of appeal, said council, by its secretary, shall forthwith file, with the clerk of said district court to which said appeal is taken, a certified copy of the order appealed from, together with findings of fact on which the same is based. The person serving such notice of appeal shall, within five days after the service thereof, file a copy of the same, with proof of service, with the clerk of the court to which such appeal is taken; and thereupon said district court shall have jurisdiction over said appeal, and the same shall be entered upon the records of said district court and shall be tried therein de novo according to the rules relating to the trial of civil actions, so far as the same are applicable. Any person aggrieved or affected by any determination, order, or decision of the district court may appeal therefrom to the Court of Appeals for the District of Columbia in the same manner as provided by law for the appeal of civil action.

SEC. 11. The provisions of this Act shall apply to any person, firm, corporation, or craft in the District of Columbia which has voluntarily elected to conform with its provisions.

SEC. 12. As used or referred to in this Act the term "the Secretary of Labor" shall mean the administrator of that Department or agency of the United States Government authorized to administer the provisions of Public Law Numbered 308.

SEC. 13. Sections 13, 14, 15, 17, 18, 20, and 21, chapter 2 of title 15 of the Code of Laws of the District of Columbia are hereby repealed.

SEC. 14. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

Approved May 21, 1946.

[CHAPTER 268]

AN ACT

To expedite the availability of housing for veterans of World War II by expediting the production and allocation of materials for housing purposes and by curbing excessive pricing of new housing, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Veterans' Emergency Housing Act of 1946".

SEC. 1. (a) The long-term housing shortage and the war have combined to create an unprecedented emergency shortage of housing, particularly for veterans of World War II and their families. This requires during the next two years a house-construction program larger than ever before. The first step toward such a program is to overcome the serious shortages and bottlenecks with respect to building materials, to expedite the production of such materials, to allocate

Appeal.

Applicability of Act.

"The Secretary of Labor."

50 Stat. 664.
29 U. S. C. §§ 50-50b.

31 Stat. 1218; 58 Stat. 195.
D. C. Code § 36-103 *et seq.*; Supp. V, § 36-101 *et seq.*
Separability of provisions.

May 22, 1946
[H. R. 4761]
[Public Law 388]

Veterans' Emergency Housing Act of 1946.
Objectives.

them for house construction and other essential purposes, and to accelerate the production of houses with preferences for veterans of World War II and at sales prices or rentals within their means. To carry out this program, it is necessary to invest a housing expediter with adequate powers, including the power to issue policy directives. Accomplishment of these objectives will assist returning veterans to acquire housing at fair prices, stimulate industry and employment, prevent a post-emergency collapse of values in the housing field, and promote a swift and orderly transition to a peacetime economy.

Termination.

(b) The provisions of this Act, and all regulations and orders issued thereunder, shall terminate on December 31, 1947, or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the provisions of the Act are no longer necessary to deal with the existing national emergency, whichever date is the earlier.

Applicability.

(c) The provisions of this Act shall be applicable to the United States, its Territories and possessions, and the District of Columbia.

Housing Expediter.

SEC. 2. (a) There is hereby created an office to be known as Housing Expediter; and the President is authorized, by and with the advice and consent of the Senate, to appoint an existing official of the Government to serve as Housing Expediter, or to appoint the Housing Expediter either within any existing agency or as an independent officer of the Government. In the event of an appointment of an existing official, he is hereby authorized and permitted to continue in his present post while serving as Housing Expediter, except that he shall receive no additional compensation by reason of his appointment hereunder. If, however, such Housing Expediter is appointed within an existing agency of the Government, he shall receive compensation in compliance with the laws and regulations applicable to officers within such agency; if the Housing Expediter is appointed as an independent officer of the Government, he shall receive compensation at the rate of \$12,000 per annum.

Compensation.

Functions and powers.

(b) The Housing Expediter, in addition to such other functions and powers as may be delegated to him by the President, is authorized to—

(1) formulate such plans and programs as are necessary to provide for an increased supply of housing accommodations of all kinds and, in particular, of homes available for sale or rental at moderate prices to veterans of World War II and their immediate families;

(2) issue such orders, regulations, or directives to other executive agencies (including the Office of Economic Stabilization and the Office of Price Administration) as may be necessary to provide for the exercise of their powers in a manner required by or consistent with the execution of the aforesaid plans and programs, and to coordinate the activities of such agencies directed to the execution of such plans and programs. Each executive agency shall carry out without delay the orders, regulations, or directives of the Housing Expediter, and shall, to the extent necessary, modify its operations and procedures from time to time to conform to the directions of the Housing Expediter;

(3) recommend to the President the enactment of such legislation as may be necessary to provide the authority to carry out such plans and programs as are not authorized under existing law;

(4) consult and cooperate with other agencies of the Federal Government, State and local governments, industries, labor, and other groups, both national and local, with respect to the problems created by the housing emergency and the steps which can be taken to remedy it.

(c) The executive agencies of the Government shall exercise their emergency powers and other powers for the purpose of aiding in the solution of the problems created by the existing housing emergency, the alleviation of which is vital to an orderly transition from war to peace.

(d) (1) All functions, powers, authority, or duties vested in the Office of War Mobilization and Reconversion or the Director thereof by the War Mobilization and Reconversion Act of 1944 which are or may be necessary or suitable to enable the Housing Expediter to carry out the provisions of this Act and such plans and programs as such Housing Expediter may develop for the alleviation of the housing emergency, are hereby transferred to the Housing Expediter. The powers so transferred shall include the power to issue orders, regulations, or directives to other executive agencies with respect to the exercise by such agencies of their respective powers and authority.

(2) The powers so transferred shall continue during the period in which this Act is in effect, notwithstanding any other provision terminating such powers contained in the said War Mobilization and Reconversion Act of 1944.

SEC. 3. (a) Whenever in the judgment of the Expediter the sales prices of housing accommodations the construction of which is completed after the effective date of this Act have risen or threaten to rise to an extent or in a manner inconsistent with the purposes of this Act, he may by regulation or order establish maximum sales prices for such housing accommodations in accordance with the provisions of this Act. Any such regulation or order may be limited in its scope to such geographical area or areas and to such types or classifications of such housing accommodations as in the judgment of the Expediter may be necessary to effectuate the purposes of this Act. Before issuing any regulation or order under this section, the Expediter shall, so far as practicable, advise and consult with representative members of industries affected by such regulation or order, and he shall give consideration to their recommendations and to any recommendations which may be made by State and local officials concerned with housing conditions in any area affected by such regulation or order.

(b) Any regulation or order issued under the authority of this section with respect to housing accommodations the construction of which is completed after the effective date of this Act shall provide that no sale of any such housing accommodations shall take place until after the builder thereof has filed with the appropriate agency designated by the Expediter a description of such accommodations, including a statement of the proposed maximum sales price, and has received from such agency a certification that such price is reasonably related to the value of the accommodations to be sold, taking into consideration (1) reasonable construction costs not in excess of the legal maximum prices of the materials and services required for the construction, (2) the fair market value of the land (immediately prior to construction) and improvements sold with the housing accommodations, and (3) a margin of profit reflecting the generally prevailing profit margin upon comparable units during the calendar year 1941. Any prospective seller of such housing accommodations may apply for such certification at any time, including before the commencement of construction, during its progress, or after its completion. In any case where a certification of approval of a proposed maximum sales price has been issued prior to the completion of construction, the prospective seller may, at any time before the first sale, apply for such revision of the maximum sales price previously certified as may be justified by a showing of special circumstances arising during the

Aid from executive agencies.

Transfer of functions, etc., vested in OWMR.

58 Stat. 785.
50 U. S. C., Supp. V, app. §§ 1651-1678.
Ante, p. 50.

Duration of powers.

Maximum sales prices.

Limitation.

Consultations with representatives of affected industries.

Sale of housing accommodations.

course of construction and not reasonably to have been anticipated at the time of the issuance of the earlier certification. The first sale of housing accommodations the construction of which is completed after the effective date of this Act shall not be made at a price in excess of the maximum sales price certified under this subsection. The actual price at which any such housing accommodations is first sold, plus any increases authorized pursuant to subsection (c), shall be the maximum sales price for any subsequent sale of such housing accommodations.

Price increases.

(c) The Expediter shall by regulation or order provide for appropriate price increases for major structural changes or improvements, not including ordinary maintenance and repair, effected subsequent to the first sale after the effective date of this Act.

Powers of expediter.

(d) The Expediter may promulgate such regulations as he deems necessary and proper to carry out any of the provisions of this Act and may exercise any power or authority conferred upon him by this Act through such department, agency, or officer as he shall direct. Any regulation or order under this Act may contain such classifications and differentiations and may provide for such adjustments and reasonable exceptions as in the judgment of the Expediter are necessary or proper in order to effectuate the purposes of this Act. The Expediter shall have power to forbid the exportation to any foreign country of any lumber or other materials which are needed for the housing program.

Exportation of materials.

Priorities for delivery.

SEC. 4. (a) Whenever in the judgment of the Expediter there is a shortage in the supply of any materials or of any facilities suitable for the construction and/or completion of housing accommodations in rural and urban areas, and for the construction and repair of essential farm buildings, he may by regulation or order allocate, or establish priorities for the delivery of, such materials or facilities in such manner, upon such conditions, and to such extent as he deems necessary and appropriate in the public interest and to effectuate the purposes of this Act.

(b) In issuing any regulation or order allocating or establishing priorities for the delivery of any materials or facilities under this section, the Expediter shall give special consideration to (1) satisfying the housing requirements of veterans of World War II and their immediate families, (2) the need for the construction and repair of essential farm buildings, and (3) the general need for housing accommodations for sale or rent at moderate prices. In order to assure preference or priority of opportunity to such veterans or their families, the Expediter shall require that no housing assisted by allocations or priorities under this section shall be sold within 60 days after completion or rented within 30 days after completion for occupancy by persons other than such veterans or their families: *Provided*, That the Expediter by appropriate regulation may allow for hardship cases.

Preference or priority of opportunity.

Hardship cases.

Power of President to assign priorities, etc.

(c) The provisions of this section shall not be construed as in any way affecting the power of the President to assign priorities or to allocate any materials or facilities under the provisions of subsection (a) of section 2 of the Act of June 28, 1940, entitled "An Act to expedite national defense, and for other purposes" (50 U. S. C. 633), as amended.

54 Stat. 676.
50 U. S. C., Supp. V,
app. § 633.
Post, p. 868.

Unlawful acts.

SEC. 5. It shall be unlawful for any person to effect, either as principal or broker, a sale of any housing accommodations at a price in excess of the maximum sales price applicable to such sale under the provisions of this Act, or to solicit or attempt, offer, or agree to make any such sale. It shall be unlawful for any person to violate the terms of any regulation or order issued under the provisions of this Act. Notwithstanding any termination of this Act as contemplated in section 1 (b) hereinabove, the provisions of this Act, and of all regulations and orders issued thereunder, shall be treated as remaining in

force, as to rights or liabilities incurred or offenses committed prior to such termination date, for the purpose of sustaining any proper suit, action, or prosecution with respect to any such right, liability, or offense.

SEC. 6. Any person who is aggrieved by any action taken pursuant to any regulation or order issued under the authority of this Act may petition the district court of the district in which he resides or has his place of business for a review of such action, and such district court shall have jurisdiction to enjoin or set aside, in whole or in part, such action or to dismiss the petition. No such action shall be enjoined or set aside, in whole or in part, unless the petitioner establishes to the satisfaction of the court that such action is not in accordance with law, is unsupported by competent, material, and substantial evidence, or is arbitrary or capricious.

SEC. 7. (a) Whenever in the judgment of the Expediter any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of section 5 of this Act, he may make application to the appropriate court for an order enjoining such acts or practices, or for an order enforcing compliance with such provision, and upon a showing by the Expediter that such person has engaged or is about to engage in any such acts or practices a permanent or temporary injunction, restraining order, or other order, may be granted and if granted shall be granted without bond.

(b) Any person who willfully violates any provision of section 5 of this Act, and any person who knowingly makes any statement false in any material respect in any description or statement required to be filed under section 3, shall, upon conviction thereof, be subject to a fine of not more than \$5,000, or to imprisonment for not more than one year, or to both such fine and imprisonment. Whenever the Expediter has reason to believe that any person is liable to punishment under this subsection, he may certify the facts to the Attorney General, who may, in his discretion, cause appropriate proceedings to be brought.

(c) The district courts shall have jurisdiction of criminal proceedings for violations of section 5 of this Act, and, concurrently with State and Territorial courts, of all other proceedings under this section. Such criminal proceedings may be brought in any district in which any part of any act or transaction constituting the violation occurred. Such other proceedings may be brought in any district in which any part of any act or transaction constituting the violation occurred, and may also be brought in the district in which the defendant resides or transacts business, and process in such cases may be served in any district wherein the defendant resides or transacts business or wherever the defendant may be found. Any such court shall advance on the docket and expedite the disposition of any criminal or other proceedings brought before it under this section. No costs shall be assessed against the Expediter or the United States Government in any proceeding under this Act.

(d) If any person selling housing accommodations violates a regulation or order prescribing a maximum selling price, the person who buys such housing accommodations may, within one year from the date of the occurrence of the violation, bring an action for the amount by which the consideration exceeded the maximum selling price, plus reasonable attorney's fees and costs as determined by the court.

SEC. 8. As used in this Act—

(a) The term "maximum sales price" means the maximum price for which any housing accommodations the construction of which is completed after the effective date of this Act may be sold and includes the total consideration which may be paid by the buyer for

Judicial review.

Application for order of enforcement.

Penalties.

Jurisdiction of criminal proceedings, etc.

Costs.

Action by purchaser.

"Maximum sales price."

such housing accommodations with accompanying land and improvements, excluding only those incidental charges, such as brokerage fees or commissions or charges, which buyers or sellers of such housing accommodations customarily assume in the community where such accommodations are located and which actually have been incurred for services rendered at the buyer's or seller's request.

"Person."

(b) The term "person" includes an individual, corporation, partnership, association, or any other organized group of any of the foregoing, or legal successor or representative of any of the foregoing.

"District court."

(c) The term "district court" means any district court of the United States, and the United States court for any Territory or other place subject to the jurisdiction of the United States.

"Veterans of World War II."

(d) The term "veterans of World War II" shall include persons who have served in the active military or naval forces of the United States on or after September 16, 1940, and prior to the termination of hostilities in World War II, and who have been discharged or released therefrom under conditions other than dishonorable, and persons serving in the military or naval forces of the United States requiring housing accommodations for their dependent families.

Appropriation authorized.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisions and purposes of this Act: *Provided, however,* That so much of the First Deficiency Appropriation Act, 1946 (Public Law Numbered 269, Seventy-ninth Congress, approved December 28, 1945), as reads "*Provided, That none of the funds available under this head for administrative expenses shall be used in paying the salary of any person engaged in making or processing loans in excess of \$500,000 to any State, any subdivision thereof, any municipality therein, or any public authority, for construction purposes, unless in pursuance of a specific authorization, except, however, that this provision shall not apply to any application or loan approved or made prior to December 15, 1945*", shall not apply to loans made for construction, removal, or remodeling of housing by publicly supported educational institutions where made for the purposes of housing veterans enrolled and attending such institution.

59 Stat. 635.

Loans.

55 Stat. 56.
12 U. S. C., Supp. V,
§ 1738 (a).

Insurance of eligible mortgages.

SEC. 10. (a) Section 603 (a) of the National Housing Act, as amended, is hereby amended to read as follows:

"(a) In order to assist in relieving the acute shortage of housing which now exists and to increase the supply of housing accommodations available to veterans of World War II at prices within their reasonable ability to pay, the Administrator is authorized, upon application by the mortgagee, to insure as hereinafter provided any mortgage which is eligible for insurance as hereinafter provided, and, upon such terms as the Administrator may prescribe, to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon: *Provided, That the aggregate amount of principal obligations of all mortgages insured under this title shall not exceed \$2,800,000,000 except that with the approval of the President such aggregate amount may be increased to not to exceed \$3,800,000,000: Provided further, That no mortgage shall be insured under this title after June 30, 1947, except (A) pursuant to a commitment to insure issued on or before June 30, 1947, or (B) a mortgage given to refinance an existing mortgage insured under this title and which does not exceed the original principal amount and unexpired term of such existing mortgage: And provided further, That the Administrator shall, in his discretion, have power to require the availability for rental purposes of properties covered by mortgages*

Aggregate amount.

Time limitation.

Rental of mortgaged property.

insured under this title, in such instances and for such periods of time as he may prescribe.”

(b) Section 603 (b) (2) of the National Housing Act, as amended, is hereby amended to read as follows:

“(2) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Administrator shall approve) in an amount not to exceed 90 per centum of the Administrator’s estimate of the necessary current cost (including the land and such initial service charges and such appraisal, inspection, and other fees as the Administrator shall approve) of a property, urban, suburban, or rural, upon which there is located a dwelling designed principally for residential use for not more than four families in the aggregate, which is approved for mortgage insurance prior to the beginning of construction. The principal obligation of such mortgage shall in no event, however, exceed—

“(A) \$5,400 if such dwelling is designed for a single-family residence, or

“(B) \$7,500 if such dwelling is designed for a two-family residence, or

“(C) \$9,500 if such dwelling is designed for a three-family residence, or

“(D) \$12,000 if such dwelling is designed for a four-family residence:

Provided, That the Administrator may, if he finds that at any time or in any particular geographical area it is not feasible, within such limitations of maximum mortgage amounts, to construct dwellings without sacrifice of sound standards of construction, design, or livability, prescribe by regulation or otherwise higher maximum mortgage amounts not to exceed—

“(A) \$8,100 if such dwelling is designed for a single-family residence, or

“(B) \$12,500 if such dwelling is designed for a two-family residence, or

“(C) \$15,750 if such dwelling is designed for a three-family residence, or

“(D) \$18,000 if such dwelling is designed for a four-family residence.”

(c) Section 603 (b) (5) of the National Housing Act, as amended, is hereby amended to read as follows:

“(5) bear interest (exclusive of premium charges for insurance) at not to exceed 4 per centum per annum on the amount of the principal obligation outstanding at any time.”

(d) Section 603 (c) of the National Housing Act, as amended, is hereby amended (1) by striking out of the third sentence the word “emergency” and inserting in lieu thereof the words “shortage of housing”, and (2) by striking out the last sentence thereof and inserting in lieu thereof the following sentence: “The Administrator shall prescribe such procedures as in his judgment are necessary to secure to veterans of World War II, and their immediate families, and to hardship cases as defined by the Administrator, preference or priority of opportunity to purchase or rent properties covered by mortgages insured under this title.”

(e) Section 604 (b) of the National Housing Act, as amended, is hereby amended by striking out the words “appraised value of such property as determined by the Administrator” and inserting in lieu thereof the following: “Administrator’s estimate of the necessary current cost”.

55 Stat. 56.
12 U. S. C., Supp.
V, § 1738 (b) (2).
Principal obligation.

Limitations.

Higher maximum mortgage amounts.

55 Stat. 57.
12 U. S. C., Supp.
V, § 1738 (b) (5).
Interest.

55 Stat. 57.
12 U. S. C., Supp.
V, § 1738 (c).

Preference or priority of opportunity.

55 Stat. 59.
12 U. S. C., Supp.
V, § 1739 (b).

56 Stat. 303.
12 U. S. C., Supp.
V, § 1743 (b).

(f) Section 608 (b) of the National Housing Act, as amended, is hereby amended:

(1) by amending paragraph numbered (2) thereof to read as follows:

Preference or priority of opportunity.

“(2) Preference or priority of opportunity in the occupancy of the mortgaged property for veterans of World War II and their immediate families, and for hardship cases as defined by the Administrator, shall be provided under such regulations and procedures as may be prescribed by the Administrator.”;

(2) by amending paragraph (3) (C) to read as follows:

“(C) not to exceed \$1,500 per room for such part of such property or project as may be attributable to dwelling use: *Provided*, That the Administrator may increase this amount to \$1,800 where in his discretion cost levels so require.”; and

(3) by striking out “reasonable replacement cost” and inserting in lieu thereof “necessary current cost”.

56 Stat. 303.
12 U. S. C., Supp.
V, § 1743 (c).

(g) Section 608 (c) of the National Housing Act, as amended, is hereby amended by inserting in the third sentence before the semicolon at the end of clause (C), the following: “and any mortgage insurance premiums paid after default”.

Premium payments.
58 Stat. 635.
50 U. S. C., Supp.
V, app. § 902 (c).
Ante, p. 57; *post*,
p. 671.

SEC. 11. (a) The last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended (50 U. S. C. 902 (e)), shall not apply to subsidies, which the Reconstruction Finance Corporation may make hereunder, in the form of premium payments used only to the extent that the Housing Expediter (after considering all available means) finds them temporarily necessary to increase the supply of materials for the veterans' emergency housing program and for other construction, maintenance, and repair essential to the national well-being: *Provided*, That not more than \$400,000,000 shall be used for such premium payments.

Standards applicable to premium payments.

(b) The following standards shall be applied by the Housing Expediter to premium payments:

(1) Premium payments shall be used only temporarily and only with relation to additional units of production beyond that otherwise attainable (as determined by the Housing Expediter by general regulation for the industry involved), where such premium payments are necessary to stimulate such additional production with greater rapidity, economy, or certainty than other available methods.

(2) The value of the units of production to which premium payments are applied (A) in the case of any new producer (except of new type materials) shall not exceed 50 per centum of the value at the producers' level of the output of such producer, and (B) in the aggregate shall not exceed 30 per centum of the value at the producers' level of all materials needed for the veterans' emergency housing program and for other construction, maintenance, and repair essential to the national well-being. The average rate of premium payments shall not exceed 25 per centum of the value of the units of production to which they are applied.

(3) Premium payments shall wherever feasible be applied at a uniform rate within any industry requiring them, rather than at varying rates for each producer.

(4) The stimulation of necessary additional production by premium payments shall place emphasis upon avoiding either economic dislocations or adverse effects upon established business.

(5) New type materials to which premium payments are applied shall be tested for sound quality.

Restriction on use of funds.

(c) Not more than \$15,000,000 of the funds made available under this section may be used to the extent that other funds are unavailable for the construction of access roads to standing timber on lands owned by or under the jurisdiction of an agency of Government.

SEC. 12. (a) The powers vested in the Reconstruction Finance Corporation pursuant to clause (a) of section 5d (3) of the Reconstruction Finance Corporation Act, as amended (15 U. S. C. 606b (3)), may be used to underwrite or guarantee markets for new type building materials and prefabricated houses, but only to the extent that the Housing Expediter finds this necessary to assure a sufficient supply for the veterans' emergency housing program: *Provided*, That the number of prefabricated houses covered by outstanding underwriting or guaranty (including such houses as may be held by the Housing Expediter) shall at no time during the program exceed two hundred thousand.

Underwriting or guaranteeing of markets.
54 Stat. 961.
15 U. S. C., Supp. V, § 606b (3) (a).

Prefabricated houses.

Standards applicable to underwriting or guaranty.

(b) The following standards shall be applied by the Housing Expediter to such underwriting or guaranty:

(1) To avoid impairment of established enterprises, new type materials and prefabricated houses shall be encouraged only to supplement such expanded production of conventional type materials and houses (with access to available materials) as can be achieved with sufficient rapidity and economy.

(2) There shall be reasonable prospect of either (A) full return to the Government of any funds involved in such underwriting or guaranty, or (B) net cost to the Government substantially lower than under any other available method of achieving the necessary expansion of production. Toward this end, the underwriting or guaranty of such materials or houses shall not be for more than 90 per centum of the producers' standard delivery price. The Housing Expediter shall maintain constant review of experience toward the objective that the total net costs to the Government shall in no event exceed 5 per centum of the total amount of underwriting or guaranty undertaken.

(3) There shall be clear evidence that the new type materials or prefabricated houses require underwriting or guaranty only temporarily until they attain general market acceptability.

(4) Emphasis shall be placed upon avoiding either economic dislocations or adverse effects upon established business.

(5) New type materials and prefabricated houses shall be tested for sound quality and (in the case of such houses) for durability, livability, and safety.

(6) Any underwriting or guaranty shall require adequate showing by the producer that he has sufficient working capital and experience, and that he can achieve the desired production on time under conditions satisfactory to the Housing Expediter.

SEC. 13. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Separability of provisions.

Approved May 22, 1946.

[CHAPTER 269]

AN ACT

To continue in effect section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended, relating to the exportation of certain commodities.

May 23, 1946
[S. 1980]
[Public Law 389]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended by the Act of June 30, 1942 (56 Stat. 463), the Act of July 1, 1944 (58 Stat. 671), and the Act of June 30, 1945 (59 Stat. 270), is hereby further amended by deleting from subsection (d) thereof the words "June 30, 1946" and substituting therefor the words "June 30, 1947".

Export control of certain commodities.

50 U. S. C., Supp. V, app. § 701 (d).

Approved May 23, 1946.