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Washington, Thursday, May 21, 1936

DEPARTMENT OF THE INTERIOR.

Division of Grazing.

COLLECTION OF FEES FOR GRAZING LICENSES

MAY 5, 1936.

THE SECRETARY OF THE INTERIOR.

DEAR SIR: The paragraph of the Rules for Administration of Grazing Districts, approved March 2, 1936,<sup>1</sup> which provides for the collection of grazing fees (page 3) reads as follows:

A grazing fee of five (5) cents per head per month, or fraction thereof, for each head of cattle or horses and one (1) cent per month, or fraction thereof, for each sheep or goat shall be collected from each licensee except free-use licensees.

Field representatives of this Division have advised that in the administration of this provision of the rules and 30-day minimum basis for collection of fees would be inequitable or work a hardship on the licensees in numerous cases. It is therefore recommended that the said paragraph be amended to read as follows:

A grazing fee of five (5) cents per month for each head of cattle or horses and one (1) cent for each sheep or goat shall be collected from each licensee, except free-use licensees, but where the grazing period involves a fraction of a month the grazing fee for such fraction shall be charged on a daily basis prorated on a 30-day month.

Respectfully,

F. R. CARPENTER, Director.

Approved: May 15, 1936.

CHARLES WEST,  
Acting Secretary of the Interior.

[Filed, May 20, 1936; 9:33 a. m.]

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS.

ADMINISTRATIVE ORDER NO. 79 (SUPPLEMENT 8)

SUBJECT: Grants—E. R. A. 1935.

MAY 19, 1936.

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GRANTS—E. R. A. 1935

1. Amounts.—(a) On projects financed in whole or in part under the Emergency Relief Appropriation Act of 1935.

<sup>1</sup> 1 F. R. 143.

the Grantee may submit requisitions for grant funds in accumulated totals not to exceed 15% (optional), 25%, and 35% of the estimated cost of the project (the approved estimate), previously approved by the Public Works Administration as the basis of the finance agreement (offer and acceptance) with the Grantee; and 45% of the actual cost of the project upon completion, as determined by the Administrator, but not to exceed in any event the total grant specifically stated in the finance agreement.

(b) If the original approved estimate is revised, it then becomes the latest approved estimate. When the original approved estimate is revised *downward*, the latest approved estimate, in this case being the *lower* figure, will be used in place of the original approved estimate as the estimated cost for computing the 15% advance, the 25% advance, and the 35% intermediate requisitions.

2. 15% Advance (Optional).—(a) At any time after the acceptance by the Grantee of an offer from the Public Works Administration to aid in financing the construction of a project, the Grantee may request an advance on account of the grant not to exceed 15% of the previously approved estimated cost of the project. This advance grant may be used for paying architectural, engineering, planning, and legal fees,<sup>2</sup> costs of surveys, borings, and other preliminary investigations, costs of preparation of plans, specifications, and other forms of proposed contract documents, and costs of advertisements for bids for contracts and the printing of the Bonds, but not in payment for the acquisition of lands, easements, or rights-of-way.

(b) In justifiable cases where the progress of the work will be delayed due to insufficient funds, the Grantee may request the Administrator to waive the restrictions imposed by Paragraph 2 (a) above and permit the use of funds advanced on a 15% advance requisition for construction purposes. In each such instance the State Director shall submit his recommendations as to the proper disposition of the Grantee's request for the waiver.

3. 25% Advance.—(a) At any time after the acceptance by the Grantee of an offer from the Public Works Administration to aid in financing the construction of a project, the Grantee may request an advance on account of the grant not to exceed 25% of the previously approved estimated cost of the project: Provided, however, that such requisition on a grant only project will not be paid until the Grantee has made a cash deposit of its share of the cost of the project in the Construction Account for the project; and on loan and grant projects such requisition will not be paid until the Government has purchased all of the Grantee's bonds.

(b) On *grant only* projects, if the progress of the work will be delayed due to insufficient funds, the Grantee may request the Administrator to waive the proviso imposed by Paragraph 3 (a) above and approve a 25% advance requisition.

<sup>2</sup> As a matter of Administrative policy, legal fees cannot be included in the estimated cost of the project used to compute the 15% advance grant payment.



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tion based on satisfactory proof that the Grantee's share of the funds will be available when needed.

(c) On loan and grant projects, if the progress of the work will be delayed due to insufficient funds, the Grantee may request the Administrator to waive the proviso imposed by Paragraph 3 (a) above and approve a 25% advance requisition based on satisfactory proof that the bond purchase will ultimately be consummated or that the Grantee's share of the funds can be secured from other sources when needed.

(d) When the Grantee requests a waiver of the proviso imposed in Paragraph 3 (a) above, the State Director shall submit his recommendations as to the proper disposition of the Grantee's request.

(e) On all projects where the question of the immediate availability of sufficient funds is involved, Grantees are urged to file the 25% advance requisition prior to the beginning of construction on the project, but in any case before the Grantee's incurred costs equal 50% of the approved estimate or the latest approved estimate, whichever is the lower.

(f) The 15% advance and the 25% advance requisitions are not alternative. Either the one or the other or both may be filed depending on the financial requirements of the project.

4. 35% Intermediate.—(a) When the project is approximately 50% complete (either financial or physical), the Grantee may request a payment on account of grant not to exceed 35% of the previously approved estimated cost of the project, but the payment thereof will not be made until the project is approximately 70% complete (either financial or physical).

(b) Under the form number in the upper left-hand corner of the Certificate of Purposes accompanying the grant requisition, the Grantee will give the approximate date when the project is expected to be 70% financially or physically completed; thus, "70% financial about 4-20-36". The requisition

may thus be prepared and forwarded to Washington well in advance of the time for payment.

5. 45% Final.—(a) At any time after the project is 100% physically completed, the Grantee may request a payment on account of grant, which together with all previous grant payments, equals 45% of the cost of the project upon completion as determined by the Administrator, but not to exceed in any event the total amount of grant set forth in the finance agreement.

6. Notice.—(a) A special notice for the Division of Accounts will be entered by Resident Engineer Inspectors under "Descriptive Report" on the Weekly Construction Report (P. W. Form I-3) and under "Remarks" on the Monthly Project Summary (P. W. Form I-92) stating when the project is 50% financially or physically completed, 70% financially or physically completed, and 100% physically completed; or, by way of anticipation, if it can be predicted with reasonable accuracy, when the project is expected to reach the completion stages mentioned herein. This notice will be prominently displayed as the first entry, thus: "Division of Accounts. Physical completion 70% about April 20, 1936."

7. Tabulation.—(a) The diagram below shows in tabular form when the Grantee may file requisitions for payment on account of grant funds under the Emergency Relief Appropriation Act of 1935:

E. R. A. 1935

| Grant             | Time of filing requisition  | % allowed |
|-------------------|---|-----------|
| Advance.....      | (Optional) When Offer is accepted by the Grantee. See Paragraphs 2 (a) and 2 (b).<br>After Offer is accepted by the Grantee and the Grantee's share of the cost of the project is deposited in the Construction Account. See Paragraphs 3 (a) to 3 (f). | 15%       |
| Intermediate..... | When the project is 50% financially or physically completed. See Paragraphs 4 (a) and 4 (b).  | 35%       |
| Final.....        | When the project is 100% physically completed. See Paragraph 5 (a).   | 45%       |

8. Documents.—(a) The documents which are prepared or secured by the Grantee and submitted with one or more of the requisitions for grant funds are as follows:

Form No. P. W. C. A. 21-B: Public Voucher—Payment of Advance and Intermediate Grants. To be signed by the Grantee and the State Director on 15% and 25% advance requisitions; and by the Grantee, the Resident Engineer Inspector, and the State Engineer Inspector (on the margin) on 35% intermediate requisitions.

P. W. A. Form No. 168: Certificate of Purposes—Summaries. To be signed by the Grantee and the State Director on 15% and 25% advance requisitions; and by the Grantee, the Resident Engineer Inspector, and the State Engineer Inspector on 35% intermediate requisitions; and by the Grantee and the State Engineer Inspector on 45% final requisitions. (Note.—P. W. A. Form No. 168 is being revised and will contain the totals formerly appearing on P. W. C. A. Forms 29, 45, and 57 (revised). P. W. C. A. Forms 29, 45, and 57 (revised) are no longer required to be prepared by the Grantee when submitting the 35% intermediate and the 45% final requisitions. See Administrative Order No. 144.)

P. W. R. F. 104: Certificate Concerning Funds, Permits, and No-Litigation. To be signed by the Grantee's attorney and attached to the first requisition.

Letter from the proposed depository bank which states in substance as follows:

We advise that we will accept deposits by the \_\_\_\_\_ (Grantee) and will at all times keep such moneys in a separate account designated \_\_\_\_\_. This bank is a member of the Federal Reserve System and of the Federal Deposit Insurance Corporation.

To be signed by an officer of the bank in which the Grantee intends to deposit the Construction Account, and attached to the first requisition.

Form No. P. W. C. A. 21-C: Public Voucher—Payment of Final Grant. To be signed by the Grantee and the State Engineer Inspector on the 45% final requisition.

P. W. R. F. 108: Statement Concerning Construction. To be signed by the Grantee on the 45% final requisition.

(b) The forms required to be prepared by the Grantee on each grant requisition are as follows:

15% Advance and 25% Advance.—Form No. P. W. C. A. 21-B, P. W. A. Form No. 168, P. W. R. F. 104, Letter from Bank.

35% *Intermediate*.—Form No. P. W. C. A. 21-B, P. W. A. Form No. 168.

45% *Final*.—Form No. P. W. C. A. 21-C, P. W. A. Form No. 168, P. W. R. F. 106.

9. *Distribution*.—(a) The distribution of the documents required on each requisition for grant funds are as follows:

|   | Requisition       |                      |                      |
|---|-------------------|----------------------|----------------------|
|   | 15% & 25% Advance | 35% Intermediate     | 45% Final            |
| Grantee prepares forms listed below and forwards copies to..... | State Director    | Res. Eng. Inspector  | St. Eng. Inspector   |
| Form No. P. W. C. A. 21-B:                                      |                   |                      |                      |
| Original.....   | **Wash.           | **Wash.              |                      |
| 1.....  | **do              | **do                 |                      |
| 2.....  | **do              | **do                 |                      |
| 3.....  | **do              | **do                 |                      |
| 4.....  | **do              | **do                 |                      |
| 5.....  | **S. D.           | S. E. I. to S. D.    |                      |
| 6.....  | S. D. to S. E. I. | **S. E. I.           |                      |
| 7.....  | S. D. to R. E. I. | R. E. I.             |                      |
| 8.....  | (Grantee)         | (Grantee)            |                      |
| P. W. A. Form No. 168:  |                   |                      |                      |
| Original.....   | **Wash.           | **Wash.              | **Wash.              |
| 1.....  | **do              | **do                 | **Do.                |
| 2.....  | **do              | **do                 | **Do.                |
| 3.....  | **do              | **do                 | **Do.                |
| 4.....  | **do              | **do                 | **Do.                |
| 5.....  | **do              | **do                 | **Do.                |
| 6.....  | **S. D.           | S. E. I. to S. D.    | S. E. I. to S. D.    |
| 7.....  | S. D. to D. P. A. | S. E. I. to D. P. A. | S. E. I. to D. P. A. |
| 8.....  | S. D. to S. E. I. | **S. E. I.           | **S. E. I.           |
| 9.....  | S. D. to R. E. I. | R. E. I.             | (Grantee).           |
| 10.....   | (Grantee)         | (Grantee)            |                      |
| (With first requisition)  |                   |                      |                      |
| P. W. R. F. 104:  |                   |                      |                      |
| Original.....   | **Wash.           |                      |                      |
| 1.....  | **do              |                      |                      |
| 2.....  | **S. D.           |                      |                      |
| 3.....  | (**Grantee)       |                      |                      |
| (With first requisition)  |                   |                      |                      |
| Letter from Bank:   |                   |                      |                      |
| Original.....   | **Wash.           |                      |                      |
| 1.....  | **do              |                      |                      |
| 2.....  | **S. D.           |                      |                      |
| 3.....  | (**Grantee)       |                      |                      |
| Form No. P. W. C. A. 21-C:                                      |                   |                      |                      |
| Original.....   |                   |                      | **Wash.              |
| 1.....  |                   |                      | **Do.                |
| 2.....  |                   |                      | Do.                  |
| 3.....  |                   |                      | Do.                  |
| 4.....  |                   |                      | Do.                  |
| 5.....  |                   |                      | Do.                  |
| 6.....  |                   |                      | S. E. I. to S. D.    |
| 7.....  |                   |                      | **S. E. I.           |
| 8.....  |                   |                      | (Grantee).           |
| P. W. R. F. 106:  |                   |                      |                      |
| Original.....   |                   |                      | **Wash.              |
| 1.....  |                   |                      | **Do.                |
| 2.....  |                   |                      | S. E. I. to S. D.    |
| 3.....  |                   |                      | **S. E. I.           |
| 4.....  |                   |                      | (Grantee).           |

(b) In the preparation of the above forms, those copies which are starred (\*\*) are signed by the Grantee, the Grantee's attorney (PWRF 104), or the Grantee's bank (Letter). Especial attention is drawn to the fact that with each grant requisition, the signed original and one signed copy of all documents come through to Washington, that one signed copy of the 15% and 25% advance requisitions remains in the State Director's files, and that one signed copy of the 35% intermediate and the 45% final requisitions remains in the State Engineer Inspector's files. Officers of the Public Works Administration transmitting grant requisitions (i. e., the State Director, the State Engineer Inspector, and the Resident Engineer Inspector) will sign and date those starred (\*\*) copies which are signed by the Grantee.

15% and 25% Advance

(c) On the receipt from the Grantee of a 15% or a 25% advance requisition, the State Director will:

(1) Detach one signed copy of each document, sign and date the Public Voucher (Form P. W. C. A. 21-B) and the Certificate of Purposes (P. W. A. Form No. 168), and retain for his files.

(2) Detach and forward two unsigned copies of the Public Voucher (Form P. W. C. A. 21-B) and the Certifi-

cate of Purposes (P. W. A. Form No. 168) to the State Engineer Inspector, one of each for the files of the State Engineer Inspector, and one of each for the files of the Resident Engineer Inspector. Detach and forward to the District Project Auditor (D. P. A.) one unsigned copy of the Certificate of Purposes (P. W. A. Form No. 168).

(3) Forward the remaining documents to the Executive Officer, Washington, after signing and dating the signed originals and the signed copies of the Public Voucher (Form P. W. C. A. 21-B) and the Certificate of Purposes (P. W. A. Form No. 168).

35% Intermediate

(d) On the receipt from the Grantee of a 35% intermediate requisition, the Resident Engineer Inspector will:

(1) Detach and keep for his files one unsigned copy each of Public Voucher (Form P. W. C. A. 21-B) and the Certificate of Purposes (P. W. A. Form No. 168).

(2) Forward the remaining documents to the State Engineer Inspector after signing and dating the signed originals and the signed copies of the Public Voucher (Form P. W. C. A. 21-B) and the Certificate of Purposes (P. W. A. Form No. 168).

(e) On the receipt from the Resident Engineer Inspector of a 35% intermediate requisition, the State Engineer Inspector will:

(1) Detach and keep for his files one signed copy each of the Public Voucher (P. W. C. A. 21-B) and the Certificate of Purposes (P. W. A. Form No. 168).

(2) Detach and forward one unsigned copy each of the Public Voucher (Form P. W. C. A. 21-B) and the Certificate of Purposes (P. W. A. Form No. 168) to the State Director for his files. Detach and forward to the District Project Auditor (D. P. A.) one unsigned copy of the Certificate of Purposes (P. W. A. Form No. 168).

(3) Forward the remaining documents to the Executive Officer, Washington, after signing and dating the signed originals and the signed copies of the Public Voucher (Form P. W. C. A. 21-B) and the Certificate of Purposes (P. W. A. Form No. 168).

45% Final

(f) On the receipt from the Grantee of a 45% Final requisition, the State Engineer Inspector will:

(1) Detach and keep for his files one signed copy each of the Public Voucher (Form P. W. C. A. 21-C), the Certificate of Purposes (P. W. A. Form No. 168), and the Statement Concerning Construction (P. W. R. F. 106).

(2) Detach and forward one unsigned copy each of the Public Voucher (Form P. W. C. A. 21-C), the Certificate of Purposes (P. W. A. Form No. 168), and the Statement Concerning Construction (P. W. R. F. 106), to the State Director for his files. Detach and forward to the District Project Auditor (D. P. A.) one unsigned copy of the Certificate of Purposes (P. W. A. Form No. 168).

(3) Forward the remaining documents to the Executive Officer, Washington, after signing and dating the signed originals and the signed copies of Public Voucher (Form P. W. C. A. 21-C) and the Certificate of Purposes (P. W. A. Form No. 168).

10. *Routing and Review*.—(a) The routing of the 15% and the 25% advance requisitions is from the Grantee to the State Director to Washington. The routing of the 35% intermediate requisition is from the Grantee to the Resident Engineer Inspector to the State Engineer Inspector to Washington. The routing of the 45% final requisition is from the Grantee to the State Engineer Inspector to Washington.

(b) Before forwarding grant requisitions, all documents will be carefully reviewed by each transmitting officer of the Public Works Administration for legibility, signatures, dates, and accuracy of executing. Defective requisitions will be returned to the Grantee for correction.

11. *Authority*.—This Order is issued under authority of Executive Order No. 7064 of June 7, 1935.

12. *Rescissions*.—Administrative Order No. 79 (Supplement 3-revised) and all instructions contrary to those contained herein are hereby rescinded.

HAROLD L. ICKES, *Administrator*.

[Filed, May 19, 1936; 3:54 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 15th day of May A. D. 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews, Robert E. Healy, J. D. Ross, William O. Douglas.

File No. 2-1022

IN THE MATTER OF BONDHOLDERS COMMITTEE FOR GATZERT COMPANY MUNICIPAL SECURITIES TRUST CERTIFICATES, SERIES CC, K, KK, MO6, AND T

ORDER FIXING EFFECTIVE DATE OF AMENDMENT TO REGISTRATION STATEMENT AND DECLARING STATEMENT AMENDED IN ACCORDANCE WITH STOP ORDER

This matter coming on to be heard by the Commission upon the registration statement originally filed by Bondholders Committee for Gatzert Company Municipal Securities Trust Certificates, Series CC, K, KK, MO6, and T, Chicago, Illinois, on July 20, 1934, and upon amendments to said registration statement filed by said registrant on August 6 and 22, September 10 and 28, October 17, 19, and 26, November 5 and 16, and December 4 and 21, 1934, and January 6 and 26, February 14 and 15, March 5, 23, and 30, April 19, and June 22, 1935, and the Commission having duly considered the matter and now being fully advised in the premises

It is ordered that the amendment filed on June 22, 1935, shall become effective on May 15, 1936, and

It is declared that said registration statement has been amended in accordance with the Stop Order issued on June 14, 1935.

Attention shall be directed to the provisions of Section 23, Securities Act of 1933, which follow: "Neither the fact that the registration statement for a security has been filed or is in effect nor the fact that a stop order is not in effect with respect thereto shall be deemed a finding by the Commission that the registration statement is true and accurate on its face or that it does not contain an untrue statement of fact or omit to state a material fact, or be held to mean that the Commission has in any way passed upon the merits of, or given approval to, such security. It shall be unlawful to make, or cause to be made, to any prospective purchaser any representation contrary to the foregoing provisions of this section."

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[Filed, May 20, 1936; 12:49 p. m.]

## VETERANS' ADMINISTRATION.

### REVISION OF REGULATIONS

#### HOSPITAL AND DOMICILIARY CARE

6047. *ELIGIBILITY OF EX-MEMBERS OF THE MILITARY OR NAVAL FORCES FOR HOSPITAL OR DOMICILIARY CARE*.—Within the limits of Veterans' Administration facilities, hospital or domiciliary care may be furnished the following applicants, in the specified order of preference:

(B) Hospital treatment for: (1) Persons honorably discharged from the United States Army, Navy, Marine Corps, or Coast Guard for disability incurred in line of duty or who are in receipt of pension for service-connected disability, when suffering from injuries or diseases incurred or aggravated in line of duty in the active service, and for which they are in need of hospital treatment.

(2) For applicants not in receipt of pension for service-connected disability, the official records of the Army or Navy, respectively, relative to findings of line of duty for its purposes, will be accepted in determining eligibility for hospital treatment under this subparagraph (B), except that where the official records of the Army or Navy show a finding of disability not incurred in line of duty and evidence is submitted to the Veterans' Administration which permits of a different finding, the decision of the Army or Navy will not be binding upon the Veterans' Administration, which will be free to make its own determination of line of duty incurred upon the evidence so submitted. It will be incumbent upon the applicant to present such controverting evidence and, until he so acts and a determination favorable to him is made by the Veterans' Administration, the finding of the Army and Navy will control and hospitalization will not be authorized. Such controverting evidence, when received from an applicant, will be referred to the adjudicating agency which would have jurisdiction if the applicant were filing claim for pension or disability compensation, and the determination of such agency as to line of duty, which is promptly to be communicated to the manager of the facility receiving the application for hospitalization, will govern his disapproval or approval of admission, other eligibility requirements having been met. Where the official records of the Army or Navy show that the disability on account of which a veteran was discharged from his peace time service was incurred in line of duty, such showing will be accepted for the purpose of determining his eligibility for hospitalization notwithstanding the fact that the Veterans' Administration has made a determination in connection with a claim for monetary benefits that the disability was incurred not in line of duty.

If the applicant's only service was in peace time and his last discharge was not honorable, hospital treatment will be furnished only for a disease or injury incurred in line of duty in a period of service from which he was honorably discharged for disability incurred in line of duty.

(3) When the applicant is in receipt of a pension for a service-connected disability, inquiry will not be made as to the character of discharge from service. The same waiver as to character of discharge will be applicable to subparagraph (D), following.

(4) In those exceptional cases where the official records of the Army or Navy show honorable discharge because of expiration of period of enlistment or any other reason save disability, but also show a disability incurred in line of duty during the said enlistment; and the disability so recorded is considered in medical judgment to be or to have been of such character, duration, and degree as to have justified a discharge for disability had the period of enlistment not expired or other reason for discharge been given, the medical director, upon consideration of a clear, full statement of the circumstances submitted to him, is authorized to approve admission of the applicant for hospital treatment, provided other eligibility requirements are met. A typical case of this kind would be one where the applicant was under treatment for the said disability recorded during his service at the time discharge was given for reason other than disability.

(C) (1) Hospital or domiciliary care, including emergency or extensive hospital treatment, for: Veterans who served during a period of war as defined in paragraph 1, Veterans Regulation No. 10, and paragraph IV of Veterans Regulation No. 10, as amended by paragraph 1 of Veterans Regulation No. 10 (e), or in any war prior to the Spanish-American War, (1) who have an honorable discharge from their last period of war service, (2) who served in the active military or naval service for 90 days or more, or who, having so served for less than 90 days, were discharged for disability incurred in line of duty; (3) who are suffering from a permanent disability, tuberculous or neuropsychiatric ailment or such other conditions requiring emergency or extensive hospital treatment; (4) and who are incapacitated from earning a living, and have no adequate means of support.

(2) The administrative determination of line of duty incurred of disability, as prescribed in subparagraph (B) (2)

will also be applicable to veterans of wars under this, subparagraph (C).

(D) Hospital or domiciliary care, including emergency or extensive hospital treatment, for: (1) Persons honorably discharged from their last period of active military or naval service in the United States Army, Navy, or Marine Corps (or honorably discharged from their last period of service in the United States Coast Guard), for disability incurred in line of duty or who are in receipt of pension for service-connected disability, when suffering from a permanent disability or tuberculous or neuropsychiatric ailment or such other conditions requiring emergency or extensive hospital treatment; and who are incapacitated from earning a living and have no adequate means of support. Also see subparagraph (B) (3).

(2) The determination whether an applicant other than one in receipt of pension for service-connected disability was discharged for disability incurred in line of duty will be obtained from the official records of the Army or Navy, respectively. However, under like circumstances, the exception as to this procedure, as prescribed in subparagraph (B) (2) will be applicable under this, subparagraph (D).

(3) The medical director's determination whether discharged, assigned for other reasons, could have been for disability incurred in line of duty, as prescribed in subparagraph (B) (4) will apply to applicants under this, subparagraph (D). (May 20, 1936.)

(F) Hospital treatment (only in facilities under direct and exclusive jurisdiction of the Veterans' Administration) for: (1) Retired officers and enlisted men of the United States Army, Navy, Marine Corps, or Coast Guard (regular establishment) who served in a period of war as defined in paragraph I, Veterans' Regulation No. 10, and paragraph IV of Veterans' Regulation No. 10, as amended by paragraph I of Veterans' Regulation No. 10 (e), or in any war prior to the Spanish-American War; and who are suffering from a disease or injury for which hospital treatment is needed.

(2) Prior authority for hospital treatment of applicants under this, subparagraph (F), must be obtained from the medical director, applicants will be advised of the per diem rate applicable and will be required to express unqualified acceptance of that rate and intention to make payment in full for the treatment before hospitalization is supplied. The per diem rate will not be assessable for hospital treatment rendered prior to July 20, 1935. (May 20, 1936.) (Vets. Reg. No. 6 (c)).

FRANK T. HINES,  
Administrator of Veterans' Affairs.

[Filed, May 20, 1936; 11:19 a. m.]

#### FEDERAL REGISTER ACT

[PUBLIC—No. 220—74TH CONGRESS; 49 STAT. 500—503]

AN ACT To provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Archivist of the United States, acting through a division established by him in the National Archives Establishment, hereinafter referred to as the "Division", is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5. There shall be at the head of the Division a director, appointed by the President, who shall act under the general direction of the Archivist of the United States in carrying out the provisions of this Act and the regulations prescribed hereunder, who shall receive a salary, to be fixed by the President, not to exceed \$5,000 a year.

SEC. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, which shall be open for that purpose during all hours of the working days when the Archives Building shall be open

for official business. The Director of the Division shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing thereof: *Provided*, That when the original is issued, prescribed, or promulgated outside of the District of Columbia and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. The original shall be retained in the archives of the National Archives Establishment and shall be available for inspection under regulations to be prescribed by the Archivist. The Division shall transmit immediately to the Government Printing Office for printing, as provided in this Act, one duplicate original or certified copy of each document required or authorized to be published under section 5. Every Federal agency shall cause to be transmitted for filing as herein required the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

SEC. 3. All documents required or authorized to be published under section 5 shall be printed and distributed forthwith by the Government Printing Office in a serial publication designated the "Federal Register." It shall be the duty of the Public Printer to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required in accordance with the provisions of this Act and the regulations prescribed hereunder. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by regulations hereunder. There shall be printed with each document a copy of the notation, required to be made under section 2, of the day and hour when, upon filing with the Division, such document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at such time in the morning of the day of distribution as shall be fixed by such regulations prescribed hereunder. The prices to be charged for the Federal Register may be fixed by the administrative committee established by section 6 without reference to the restrictions placed upon and fixed for the sale of Government publications by section 1 of the Act of May 11, 1922, and section 307 of the Act of June 30, 1932 (U. S. C., title 44, secs. 72 and 72a), and any amendments thereto.

SEC. 4. As used in this Act, unless the context otherwise requires, the term "document" means any Presidential proclamation or Executive order and any order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by a Federal agency; the terms "Federal agency" or "agency" mean the President of the United States, or any executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government; and the term "person" means any individual, partnership, association, or corporation.

SEC. 5. (a) There shall be published in the Federal Register (1) all Presidential proclamations and Executive orders, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof; (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; and (3) such documents or classes of documents as may be required so to be published by Act of the Congress: *Provided*, That for the purposes of this Act every document or order which shall prescribe a penalty shall be deemed to have general applicability and legal effect.

(b) In addition to the foregoing there shall also be published in the Federal Register such other documents or classes of documents as may be authorized to be published pursuant hereto by regulations prescribed hereunder with

the approval of the President, but in no case shall comments or news items of any character whatsoever be authorized to be published in the Federal Register.

Sec. 6. There is established a permanent Administrative Committee of three members consisting of the Archivist or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Division shall act as secretary of the committee. The committee shall prescribe, with the approval of the President, regulations for carrying out the provisions of this Act. Such regulations shall provide, among other things: (a) The manner of certification of copies required to be certified under section 2, which certification may be permitted to be based upon confirmed communications from outside of the District of Columbia; (b) the documents which shall be authorized pursuant to section 5 (b) to be published in the Federal Register; (c) the manner and form in which the Federal Register shall be printed, reprinted, compiled, indexed, bound, and distributed; (d) the number of copies of the Federal Register which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be available for distribution to the public; and (e) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

Sec. 7. No document required under section 5 (a) to be published in the Federal Register shall be valid as against any person who has not had actual knowledge thereof until the duplicate originals or certified copies of the document shall have been filed with the Division and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically provided by statute, such filing of any document, required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby. The publication in the Federal Register of any document shall create a rebuttable presumption (a) that it was duly issued, prescribed, or promulgated; (b) that it was duly filed with the Division and made available for public inspection at the day and hour stated in the printed notation; (c) that the copy contained in the Federal Register is a true copy of the original; and, (d) that all requirements of this Act and the regulations prescribed hereunder relative to such document have been complied with. The contents of the Federal Register shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number.

Sec. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an Act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of the Congress; or (b) not less than fifteen days when no time for publication is

specifically prescribed by the Act, without prejudice, however, to the effectiveness of any notice of less than fifteen days where such shorter period is reasonable.

Sec. 9. Every payment made for the Federal Register shall be covered into the Treasury as a miscellaneous receipt. The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and any other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this Act shall be borne by the appropriations to the Government Printing Office and such appropriations are hereby made available, and are authorized to be increased by such additional sums as are necessary for such purposes, such increases to be based upon estimates submitted by the Public Printer. The purposes for which appropriations are available and are authorized to be made under section 10 of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes" (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this Act. Copies of the Federal Register mailed by the Government shall be entitled to the free use of the United States mails in the same manner as the official mail of the executive departments of the Government. The cost of mailing the Federal Register to officers and employees of Federal agencies in foreign countries shall be borne by the respective agencies.

Sec. 10. The provisions of section 2 shall become effective sixty days after the date of approval of this Act and the publication of the Federal Register shall begin within three business days thereafter: *Provided*, That the appropriations involved have been increased as required by section 9 of this Act. The limitations upon the effectiveness of documents required, under section 5 (a), to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated prior to the date when such document is first required by this or subsequent Act of the Congress or by Executive order to be published in the Federal Register.

Sec. 11. Within six months after the approval of this Act each agency shall prepare and file with the committee a complete compilation of all documents which have been issued or promulgated prior to the date documents are required or authorized by this Act to be published in the Federal Register and which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities. The committee shall within sixty days thereafter report with respect thereto to the President, who shall determine which of such documents have general applicability and legal effect, and shall authorize the publication thereof in a special or supplemental edition or issue of the Federal Register. Such special or supplemental editions or issues shall be distributed in the same manner as regular editions or issues, and shall be included in the bound volumes of the Federal Register as supplements thereto.

Sec. 12. Nothing in this Act shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

Sec. 13. All Acts or parts of Acts in conflict with this Act are hereby repealed insofar as they conflict herewith.

Sec. 14. This Act may be cited as the "Federal Register Act."

Approved, July 26, 1935.