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"(2) With respect to a taxable year beginning before January 1, 1937, if the corporation is with respect to such year a personal holding company as defined in section 351 (b) (1) before the amendment of Title IA by section 1 of the Revenue Act of 1937.

"(3) With respect to a taxable year ending after the date of the enactment of the Revenue Act of 1937, if the corporation is with respect to such year a foreign personal holding company as defined in section 331." Foreign personal holding company.

SEC. 602. MUTUAL INVESTMENT COMPANIES. Mutual investment companies. 49 Stat. 1669. General definition.

(a) Section 48 (e) (1) of the Revenue Act of 1936 is amended by striking out "other than a personal holding company as defined in section 351" and inserting in lieu thereof "except as provided in paragraph (3)".

(b) Such section 48 (e) is further amended by adding at the end of such subsection a new paragraph to read as follows:

"(3) CORPORATIONS EXCEPTED.—This section shall not apply to any corporation— Corporations excepted.

"(A) With respect to a taxable year beginning after December 31, 1936, if the corporation is with respect to such year a personal holding company as defined in section 352. *Ante*, p. 814.

"(B) With respect to a taxable year beginning before January 1, 1937, if the corporation is with respect to such year a personal holding company as defined in section 351 (b) (1) before the amendment of Title IA by section 1 of the Revenue Act of 1937.

"(C) With respect to a taxable year ending after the date of the enactment of the Revenue Act of 1937, if the corporation is with respect to such year a foreign personal holding company as defined in section 331."

SEC. 603. SEPARABILITY CLAUSE. Separability clause.

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 provisions to other persons or circumstances, shall not be affected thereby.

Approved, August 26, 1937, 10 a. m.

[CHAPTER 816]

JOINT RESOLUTION

August 26, 1937
[S. J. Res. 166]
[Pub. Res., No. 72]

Providing for participation by the United States in the Pan American Exposition to be held in Tampa, Florida, in the year 1939 in commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries to an exposition to be held in Tampa, Florida, to be known as the "Pan American Exposition", in commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, under the auspices and on the grounds of the Florida Fair and Gasparilla Association, Incorporated, in the year 1939, with a request that they participate therein. Pan American Exposition, Tampa, Fla., 1939. President requested to invite foreign countries to participate.

SEC. 2. That there is hereby created a Federal commissioner for such Pan American Exposition, said commissioner to be appointed by the President upon the nomination of the Secretary of Commerce, who shall select for this purpose an official of his Department who has had experience in and is familiar with the preparation and man- Federal commissioner. Appointment, qualifications, expenses, etc.

agement of exhibitions, and who will serve in this capacity without additional salary. That the expenses of the Federal commissioner and such staff as he may require will be met out of the funds provided for the purposes of the Government participation in the exposition.

Duties; exhibits by Government.

SEC. 3. The Secretary of Commerce shall prescribe the duties of the Federal commissioner and shall delegate such powers and functions to him as he shall deem advisable, in order that there may be exhibited at the said Pan American Exposition by the Government of the United States, its executive department [1], independent offices, and establishments such articles and materials as illustrate the function and administrative faculty of the Government in the advancement of industry, the arts, and peace, demonstrating the nature of our institutions particularly as regards their adaptation to the wants of the people.

Employees, etc.

SEC. 4. The commissioner may employ such clerks, stenographers, and other assistants as may be necessary, and fix their reasonable compensation within the grades and rates of compensation fixed by the Classification Act of 1923, as amended; purchase such material, contract for such labor and other services, and exercise such powers as are delegated to him by the Secretary of Commerce as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated) to officers and employees as may be deemed advisable by the Secretary of Commerce.

5 U. S. C. §§ 661-674.

Cooperation by departments, etc.

SEC. 5. The heads of the various executive departments, independent offices, and establishments of the Government are authorized to cooperate with the commissioner in the procurement, installation, and display of exhibits; to lend to the Pan American Exposition, with the knowledge and consent of the commissioner, such articles, specimens, and exhibits which the commissioner shall deem to be in the interest of the United States to place with the science or other exhibits to be shown under the auspices of the Florida Fair and Gasparilla Association, Incorporated; to contract for such labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or branches to assist the commissioner. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, the commissioner shall cause all such property to be returned to the respective departments and branches from which taken and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation provided; and if the return of such property is not practicable, he may, with the consent of the department or branch from which it was taken, make such disposition thereof as he may deem advisable and account therefor.

Return of exhibits, etc., at close.

Appropriation authorized.

SEC. 6. The sum of $100,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended, parts of which sum may be expended for the erection of a building or buildings and/or for the rental of such space, as the Secretary of Commerce may deem adequate to carry out effectively the provisions of this resolution; for the decoration of such structure or structures; for the proper maintenance of such buildings, site, and grounds during the period

[1] So in original.

of the exposition. The Secretary of Commerce may contract with the Florida Fair and Gasparilla Association, Incorporated, for the designing and erection of such building or buildings and/or for the rental of such space as shall be deemed proper. The remaining portion of the appropriation authorized under this resolution shall be available for the selection, purchase, preparation, assembling, transportation, installation, arrangement, safekeeping, exhibition, demonstration, and return of such articles and materials as the Secretary of Commerce may decide shall be included in such Government exhibit and in the exhibits of the Pan American Exposition; for the compensation of the employees of the Secretary of Commerce in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government, employed by or detailed for duty with the Secretary of Commerce, and for their actual traveling expenses and subsistence at not to exceed $6 per day: *Provided*, That no such official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department or branch where employed plus such reasonable allowance for subsistence expenses as may be deemed proper by the commissioner; for telephone service, purchase of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers and all other publications, ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes may be made in advance; for the hire of a passenger-carrying automobile, its maintenance, repair, and operation, for the official use of the commissioner; for printing and binding; for entertainment of distinguished visitors, and all other expenses as may be deemed necessary by the Secretary of Commerce, to fulfill properly the purposes of this resolution. All purchases, expenditures, and disbursements, under any appropriations which may be provided by authority of this resolution, shall be made under the direction of the Secretary of Commerce: *Provided further*, That the Secretary of Commerce, as hereinbefore stipulated, may delegate these powers and functions to the commissioner, and the commissioner, with the consent of the Secretary of Commerce, may subdelegate them: *Provided further*, That the Secretary of Commerce or his delegated representative may authorize the allotment of funds to any executive department, independent office, or establishment of the Government with the consent of the heads thereof for direct expenditure by said executive department, independent office, or establishment for the purpose of defraying any expenditure which may be incurred by said executive department, independent office, or establishment in executing the duties and functions delegated to said office by the Secretary of Commerce; and all accounts and vouchers covering the expenditures under these appropriations shall be approved by the commissioner or such assistants as he may delegate, except for such allotments as may be made to the various executive departments and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit or permit any obligations to be incurred in excess of the amount authorized to be appropriated: *And provided further*, That in the construction of buildings or exhibits requiring skilled and unskilled labor, the prevailing rate of wages, then existing, shall be paid.

Contracts for designing and erection of buildings.

Salaries, etc.

Provisos.
Limitation.

Payments in advance.

Delegation and subdelegation of powers.

Allotment of funds.

Supervision of expenditures.

Labor wage rates.

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Acceptance of contributions, etc.

SEC. 7. The commissioner with the approval of the Secretary of Commerce may receive contributions in funds or materials or borrow materials or exhibits to aid in carrying out the general purposes of this resolution, and shall have the right to return borrowed property, and dispose of such other property under the direction of the Secretary of Commerce and to account therefor, the proceeds of such sales shall be covered into the Treasury of the United States.

Reports.

SEC. 8. It shall be the duty of the Secretary of Commerce to transmit to Congress, within six months after the close of the Pan American Exposition, a detailed statement of all expenditures, and such other reports as may be deemed proper which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Approved, August 26, 1937.

[CHAPTER 817]

JOINT RESOLUTION

August 26, 1937
[S. J. Res. 186]
[Pub. Res., No. 73]

Providing for the participation of the United States in the continuing international exposition to be known as Pacific Mercado, to be held in the city of Los Angeles, California, commencing in the year 1940, and in the year 1942 commemorating the landing of Cabrillo, and for other reasons.

Pacific Mercado (International Exposition), Los Angeles, Calif., 1940.
Preamble.

Whereas there is to be held in the city of Los Angeles, State of California, commencing in the year 1940, a continuing international exposition to be known as the Pacific Mercado, designed to promote closer relations and better understandings among the countries and nations of the world, through the furtherance of trade, industry, and cultural arts, by gathering, arranging, and exhibiting the varied cultures of such countries and nations and the origins, progress, and accomplishments in science, the arts, education, industry, business, and transportation of such countries and nations, and by other appropriate means; and

Whereas there is to be held in said city, in the year 1942, in connection with said Pacific Mercado, a world's fair commemorating the landing of Cabrillo; and

Whereas the holding of said Pacific Mercado and, in conjunction therewith, said world's fair, will further the purposes of certain conventions and treaties signed at the Inter-American Conference for the Maintenance of Peace, held in the city of Buenos Aires, capital of the Argentine Republic, in December 1936; and

Whereas the city of Los Angeles, by amendment to its charter, approved by the electors of said city and by the Legislature of the State of California, has been authorized to issue, through its department of water and power, bonds for the acquisition of a site for such continuing international exposition and world's fair; and

Whereas the State of California on May 21, 1937, enacted Assembly Joint Resolution Numbered 47, chapter 106, memorializing the President of the United States to extend to the governments and dominions of the world invitations to participate in the Pacific Mercado in 1940 (reference Congressional Record, May 26, 1937, pages 6572 and 6573); and

Whereas the State of California on May 25, 1937, appropriated $1,500,000 for the State's participation in the Pacific Mercado and exposition; and

Whereas such continuing international exposition and world's fair are worthy and deserving of the support and encouragement of the United States, and the United States has aided and encouraged such world's fair and celebrations in the past: Therefore be it