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to payment, issued by the petitioner to defray the cost of local improvements and payable out of the proceeds of special assessments or special taxes levied by the petitioner, it shall be sufficient if the petitioner aver that the property liable for the payment of such securities, principal, and interest, is not of sufficient value to pay same, and that the accrued interest on such securities is past due and in default; and the list of creditors to be filed with such petition need contain only the known claimants of rights based on those securities evidencing the obligations sought to be composed under this chapter, and such list shall include separately the names and addresses of those creditors who have accepted the plan of composition. A list of the record owners or holders of title, legal, or equitable, to any real estate involved in the proceeding, shall also be filed with the petition, and such record owners or holders of title shall be notified in the manner provided in this section for creditors and be entitled to hearing by the court upon reasonable application therefor."

List of creditors, contents.

List of record owners, etc., of real estate involved.

Hearing.

SEC. 2. The provisions of the foregoing section shall be deemed to be additional and cumulative and not in diminution of any of the powers conferred by the Act hereby amended.

Provisions deemed additional.

Approved, March 4, 1940.

[CHAPTER 44]

AN ACT

To facilitate the procurement of aircraft for the national defense.

March 5, 1940
[S. 2868]
[Public, No. 426]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, until June 30, 1941, whenever contracts are to be awarded as a result of competitive bids for furnishing the War Department or the Navy Department with aircraft, aircraft parts, and accessories therefor, the Secretary of War or the Secretary of the Navy is authorized to award a contract for the aircraft, aircraft parts, and accessories to be purchased as a result of any such competition to the bidder that the said Secretary shall find to be the lowest responsible bidder that can satisfactorily perform the work or service required to the best advantage of the Government, or, in his discretion and when such action is considered necessary by the said Secretary in the interest of the national defense, to award contracts for such aircraft, aircraft parts, and accessories to such bidders, not exceeding three in number, as said Secretary shall find to be the lowest responsible bidders that can satisfactorily perform the work or the service required to the best advantage of the Government. The determinations as to such multiple awards and the necessity for making the same shall be based upon quality, times and rate of delivery, price and the prevention of the overloading of a plant or plants and such division of awards shall be made only when found by the said Secretary to be in the interest of the national defense: *Provided*, That no awards shall be made at prices in excess of those offered by the bidders in any such competition and that the decision of the Secretary of the Department concerned as to the award of any such contract, or contracts, the interpretation of the provisions thereof, and the application and administration of the same shall not be reviewable, otherwise than as may be therein provided for, by any officer or tribunal of the United States except the President and the Federal courts: *Provided further*, That a report shall be made to the Congress by the Secretary of the Department concerned in the case of any competition as a result of which quantity contracts are entered into under authority

Procurement of aircraft for national defense.
Awarding of contracts.

Multiple awards.

Determination and necessity for making, basis.

Provisos.
Price limitation.

Decision, interpretation, application, etc.; review restriction.

Quantity contracts, report to Congress.

of this Act with more than one bidder, immediately upon the execution of such contracts, setting forth the articles purchased, the prices paid therefor, the name or names of each bidder, and of each contractor receiving a contract, and the particular reasons for awarding each of such contracts: *Provided further*, That any contract entered into under the authority hereby granted, for the construction of any complete aircraft or any portion thereof, shall be subject to the applicable profit-limitation provisions of the Act of March 27, 1934 (48 Stat. 505), as amended by the Act of June 25, 1936 (49 Stat. 1926), and as further amended by the Act of April 3, 1939 (Public, Numbered 18, Seventy-sixth Congress): *Provided further*, That procurement of aircraft, aircraft parts, and accessories therefor shall be made under authority of this Act only when in the opinion of the Secretary of the Department concerned such action is necessary in the public interest: *Provided further*, That the authority herein granted shall not be construed to abrogate, repeal, or suspend any of the provisions of Revised Statutes (3709, U. S. C. 41: 5), the Act of March 2, 1901 (31 Stat. 905), the Act of July 2, 1926 (44 Stat. 787), section 14 of the Act of April 3, 1939 (Public, Numbered 18, Seventy-sixth Congress), or of the Act of July 13, 1939 (Public, Numbered 168, Seventy-sixth Congress), or to prohibit the award of any contracts in any manner now authorized by law, but shall be construed as additional legislation to be utilized under the conditions herein set forth, during the effective period of this Act: *And provided further*, That this Act shall be applicable under the conditions herein set forth to awards of contracts upon which competitive bids have been heretofore requested or received but as a result of which contracts have not been awarded.

Limitation on profits.

53 Stat. 560.
10 U. S. C., Supp. V, §§ 311, 312; 34 U. S. C. § 496; Supp. V, § 496.
Necessity for procurement.

Authority herein granted, construction.

53 Stat. 560, 1000.
10 U. S. C. §§ 310, 1201; Supp. V, §§ 311–313; 34 U. S. C., Supp. V, § 496.

Application to designated contracts.

Approved, March 5, 1940.

[CHAPTER 45]

March 5, 1940
[H. R. 112]
[Public, No. 427]

AN ACT

To facilitate control of soil erosion and flood damage on lands within the Ozark and Ouachita National Forests in Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission, established by section 4 of the Act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands, or interests therein, within the boundaries of the Ozark and Ouachita National Forests, in the State of Arkansas, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands, or interests therein, from the receipts from the sale of natural resources other than mineral or occupancy of public land within the Ozark National Forest and that part of the Ouachita National Forest situated in the State of Arkansas, not to exceed one-half of which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired: *Provided*, That any appropriated amounts which are unexpended and unobligated at the close of the fiscal year for which appropriated shall be transferred to the national-forest receipts of that fiscal year and amounts so transferred and such parts of the entire receipts of any fiscal year as are not appropriated shall be disposed of in like manner as other national-forest receipts.

Ozark and Ouachita National Forests, Ark.
Acquisition of lands by U. S. to minimize soil erosion, etc.
36 Stat. 962.

Payment.

Proviso.
Disposition of unexpended, etc., funds.

Approved, March 5, 1940.