AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Proviso.
Entrance requirements, etc.

Provided, That the entrance requirements of such junior colleges be not less than high-school graduation, and the number of semester-hours required for the title associate in arts or associate in science be not less than sixty, and the number and character of the courses offered and the number and qualifications of the faculty be reasonable, and the institution be possessed of suitable classroom, laboratory, and library equipment.

Force and effect of accreditation.

That accreditation by the Board of Education of the District of Columbia shall have the same force and effect as is usual in the case of accreditation by the various accrediting agencies of the several States of the Union.

Approved, July 2, 1940.

[CHAPTER 524]

July 2, 1940
[H. R. 9791]
[Public, No. 719]

AN ACT

To amend the District of Columbia Unemployment Compensation Act.

District of Columbia Unemployment Compensation Act, amendments.
49 Stat. 946.
Ante, p. 149.
8 D. C. Code, Supp. V, §§ 311–335.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Unemployment Compensation Act, approved August 28, 1935, is further amended to read as follows:

TITLE I

8 D. C. Code, Supp. V, § 311.
Ante, p. 149.

Add a new paragraph to section 1 (b) of District of Columbia Unemployment Compensation Act, approved August 28, 1935, as follows:

"Employment." Service excepted.

"(10) Service performed by an individual for a person as an insurance agent or as an insurance solicitor, if all such service performed by such individual for such person is performed for remuneration solely by way of commission."

Proviso.
"Wages."

At the end of section 1 (c) change the period to a colon and add the following: "*Provided*, That such term 'wages' shall not include that part of the remuneration which, after remuneration equal to $3,000 has been paid to any individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment during such calendar year and after December 31, 1939."

Substitute the following subsection (d) for section 1 (d):

"Benefit year" defined.

"(d) 'Benefit year' with respect to any individual means the fifty-two-consecutive-week period beginning with the first day of the first week with respect to which the individual first files a valid claim for benefits, and thereafter the fifty-two-consecutive-week period beginning with the first day of the first week with respect to which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with section 12 (a) of this Act shall be deemed to be a 'valid claim' for the purposes of this subsection if the individual has during his base period been paid wages for employment by employers equal to not less than whichever is the lesser of (1) twenty-five times his weekly benefit amount, and (2) $250."

Claims deemed valid.
8 D. C. Code, Supp. V, § 322 (a).

Substitute the following subsection (e) for section 1 (e):

"Unemployed" construed.

"(e) An individual shall be deemed unemployed in any week during which no earnings are payable to him, or in any week of less than full-time work if the earnings payable to him with respect to such week are less than his weekly benefit amount."

Substitute the following subsection (f) for section 1 (f):

"Earnings" defined.

"(f) 'Earnings' means all remuneration payable for personal services, including wages, commissions, and bonuses and the cash value

of all remuneration payable in any medium other than cash whether received from employment, self-employment, or any other work. Gratuities received by an individual in the course of his work shall be treated as earnings. The reasonable cash value of any remuneration payable in any medium other than cash, and a reasonable amount of gratuities shall be estimated and determined in accordance with the regulations prescribed by the Board."

"Dependent relative"; definition extended.

In section 1 (g), immediately following the words "sixteen years of age", insert the words ", or a child who is unable to work because of physical disability".

"Employment office" defined.

In section 1 (n), line 2, after the word "District", insert the words "or elsewhere", and strike out the remainder of the sentence.

Immediately following section 1 (n) add the following new section 1 (o):

"Base period" defined.

"(o) 'Base period' means the first four out of the last five completed calendar quarters immediately preceding the first day of the individual's benefit year."

Employer contributions.

In paragraph 3 of section 3 (a) strike out the following words: ", and 1940,".

8 D. C. Code, Supp. V, § 313.

Immediately following section 3 (a) add the following section 3 (b):

Percentage.

"(b) Every employer who employs one or more individuals in any employment shall, beginning with the month of January 1940, pay 2.7 per centum of the total wages paid with respect to such employment."

Strike out paragraph 4 of section 3 (a).

In section 3 (b) strike out the letter "(b)" and insert in lieu thereof the letter "(c)".

In section 3 (b), line 2, strike out the words "calendar year 1941" and substitute in lieu thereof "second six months of the calendar year 1942".

In section 3 (b), line 14, substitute the word "paid" for the word "payable".

In section 3 (b), lines 8 and 13, change the figure "3" to "2.7".

8 D. C. Code, Supp. V, § 314.

Substitute for section 4 (b) the following section 4 (b):

Payment of contributions.

"(b) Contributions shall become due and be payable at such time and in accordance with such regulations as the Board may prescribe. No extension of the time for filing any return or for the payment of the contributions shall be allowed to any employer. All moneys so required to be paid to and collected by the Board shall be subject to audit by the District Auditor."

Audit.

Immediately following section 4 (e) insert the following new section 4 (f):

Adjustments and refunds.

Application by employer.

"(f) REFUNDS.—If not later than one year after the date on which any contributions or interest thereon became due an employer who has paid such contributions or interest thereon shall make application for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof because such adjustment cannot be made, and the Board shall determine that such contributions or interest or any portion thereof was erroneously collected, the Board shall allow such employer to make an adjustment thereof, without interest, in connection with subsequent contribution payments by him, or if such adjustment cannot be made, the Board shall refund said amount, without interest, from the clearing account or benefit account upon checks issued by the Board or its duly authorized agent. For like cause and within the same period, adjustment or refund may be so made on the Board's own initiative. Should benefits have been paid based upon work records filed by the employer, claiming an adjustment or refund, such benefit should be disregarded

Initiative of Board.

Benefits not deemed erroneously paid.

for purposes of figuring such adjustment or refund, and any such benefit payments already having been made at the time of the refund, based upon records filed with this Board by such employer, shall to that extent be allowed and shall not be deemed to have been paid erroneously: *Provided*, That applications with respect to adjustments or refunds for the years 1936, 1937, 1938, and 1939 may be made within one year from the effective date of this title. All refunds paid pursuant to this subsection shall be subject to a prior audit by the District Auditor."

Proviso. Adjustments, etc., for designated years. Audit.

Substitute for section 8 the following new section 8:

8 D. C. Code, Supp. V, § 318. Benefits payable from District unemployment fund.

"SEC. 8. (a) On and after January 1, 1938, benefits shall become payable from the benefit account of the District unemployment fund. All benefits shall be paid through employment offices, in accordance with such regulations as the Board may prescribe.

Weekly benefit amount.

"(b) An individual's weekly benefit amount shall be the amount appearing in column B in the table set forth in this subsection on the line on which in Column A of such table appears the total wages for employment paid to such individual by employers during that quarter of his base period in which such wages were the highest.

"UNEMPLOYMENT BENEFIT TABLE

"COLUMN A Wages paid in highest quarter of base period	COLUMN B Weekly benefit amount	COLUMN C Qualifying amount
$37.50 to $138.00	$6	$150
$138.01 to $161.00	7	175
$161.01 to $184.00	8	200
$184.01 to $207.00	9	225
$207.01 to $230.00	10	250
$230.01 to $253.00	11	250
$253.01 to $276.00	12	250
$276.01 to $299.00	13	250
$299.01 to $322.00	14	250
$322.01 to $345.00	15	250
$345.01 to $368.00	16	250
$368.01 to $391.00	17	250
$391.01 and over	18	250

Earnings excluded from weekly benefit.

"(c) Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less the earnings (if any) payable to him with respect to such week. For the purpose of this subsection, the term 'earnings' shall include only that part of the remuneration payable to him for such week which is in excess of 40 per centum of his weekly benefit amount for any week. Such benefit, if not a multiple of $1, shall be computed to the next higher multiple of $1.

"Earnings" defined.

Limitation on total amount of benefits for year.

"(d) Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to nineteen times his weekly benefit amount or one-half of the wages for employment paid to such individual by employers during his base period, whichever is the lesser.

Dependent's allowance; limitation.

"(e) DEPENDENT'S ALLOWANCE.—In addition to the benefits payable under subsections (b) and (c) of this section, each individual who is unemployed in any week shall be paid with respect to such week $1 for each dependent relative, but not more than $3 shall be paid to an individual as dependent's allowance with respect to any one week of unemployment, nor shall any weekly benefit which includes a dependent's allowance be paid in the amount of more than $18."

Substitute the following paragraph (2) for paragraph (2) of section 10 (a): 8 D. C. Code, Supp. V, § 320.

"(2) that he has during his base period been paid wages for employment by employers equal to not less than the amount appearing in column 'C' of the table in section 8 (b), on the line on which in column 'B' his weekly benefit amount appears;". Eligibility for benefits. Requirements.

Substitute the following paragraph (5) for paragraph (5) of section 10 (a):

"(5) that he has been unemployed for a waiting period of not more than two weeks. No week shall be counted as a week of unemployment for the purposes of this subsection—

"(A) unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits: *Provided*, That this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment: *And provided further*, That the week or the two consecutive weeks immediately preceding a benefit year, if part of one uninterrupted period of unemployment which continues into such benefit year, shall be deemed (for the purposes of this subsection only) to be within such benefit year as well as within the preceding benefit year;

"(B) if benefits have been paid with respect thereto; and

"(C) unless the individual was eligible for benefits with respect thereto as provided in sections 10 and 11 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935, as amended by this title, except for the requirements of this paragraph; and".

Substitute the following subsection (a) for section 14 (a): 8 D. C. Code, Supp. V, § 324 (a).

"SEC. 14. (a) The Board is hereby authorized and directed to administer the provisions of this Act. Subject to the Civil Service Act, the Board is further authorized to employ such officers, examiners, accountants, attorneys, experts, agents, and other persons, and to make such expenditures, as may be necessary to administer this Act, and to authorize any such person to do any act or acts which could lawfully be done by the Board. The Civil Service Commission is hereby authorized and directed to confer a competitive classified civil-service status upon those employees performing services for the Board upon the effective date of this title: *Provided*, That (1) such employees are certified by the Board as having rendered satisfactory service for not less than six months; (2) that they qualify in such appropriate noncompetitive examination as may be prescribed by the Civil Service Commission: *Provided, however*, That all employees certified by the Board in accordance with condition (1) hereof shall automatically be eligible to take such noncompetitive examination; (3) that they are citizens of the United States; and (4) that they are not disqualified by any provision of section 3 of civil-service rule V. The Board may, in its discretion, require bond from any of its employees engaged in carrying out the provisions of this Act." Administration of Act. Employment of personnel. Civil-service status conferred upon Board employees. *Provisos.* Certification by Board. Noncompetitive examination. Eligibility, etc. Bonding of employees.

TRANSITION PROVISIONS

SEC. 2. (a) As used in this section unless the context clearly requires otherwise— Definitions.

(1) "old law" means the unemployment-compensation law prior to its amendment by this title;

(2) "new law" means the unemployment-compensation law as amended by this title;

(3) "effective date" means the date upon which the new law becomes effective; and

(4) "continuous period of compensable unemployment" means a period of unemployment beginning prior to and continuing up to and after the effective date in the case of an individual who, prior to the effective date, has filed a claim for benefits for a week or weeks of unemployment in such period: *Provided*, That the individual has satisfied the requirements of paragraph 2 of subsection (a) of section 10 of the old law and has not exhausted his rights to benefits pursuant to subsection (b) of section 8 of the old law prior to the effective date.

8 D. C. Code, Supp. V, § 320 (a) (2).

8 D. C. Code, Supp. V, § 318 (b).

Applicability, etc., of new law.

(b) Except as otherwise specifically provided in subsection (c) of this section, the new law shall be exclusively applicable with respect to any individual on and after the effective date. No provision of the old law shall be construed to limit or extend the rights of any individual as fixed by the new law, after the new law becomes exclusively applicable with respect to such individual as provided in this section.

Applicability of old law provisions.

8 D. C. Code, Supp. V, §§ 311, 318, 320.

(c) With respect to any individual who is unemployed during a continuous period of compensable unemployment (as defined in paragraph 4 of subsection (a) of this section) sections 1 (d), 8 (a) (insofar as it relates to the determination of the weekly benefit rate for total unemployment), 8 (b), 8 (c), 8 (d), and 10 (a) (2) of the old law shall be exclusively applicable until the expiration of such continuous period of compensable unemployment.

Determination of employer's excess contributions.

Adjustment.

(d) Upon application by an employer, filed pursuant to suitable regulations by the Board, the Board shall determine the extent to which the employer's contributions paid for the first six months of the calendar year 1940 were in excess of his contributions due for said period under the new law and shall make an adjustment for that amount, without interest, solely in connection with subsequent contributions by him.

EFFECTIVE DATE

Effective date.

SEC. 3. This title shall take effect as of 12:01 antemeridian, July 1, 1940.

TITLE II

AMENDMENT—DISTRICT OF COLUMBIA REVENUE ACT OF 1939

District of Columbia Revenue Act of 1939, amendment.
53 Stat. 1088.
20 D. C. Code, Supp. V, § 980a (d).
Exemptions from income tax.

Section 2 (d) of the Act entitled "An Act to provide revenue for the District of Columbia, and for other purposes", approved July 26, 1939, is amended to read as follows:

"(d) EXEMPTIONS FROM TAX.—There shall be exempt from taxation under this title the following organizations: Corporations, including any community chest, fund, foundation, cemetery association, teachers' retirement fund association, church, or club, organized and operated exclusively for religious, charitable, scientific, literary, educational, or social purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; and labor organizations, trade associations, boards of trade, chambers of commerce, citizens' associations, or organizations, not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual, farmers' associations organized and operated on a cooperative basis exempt from income tax under section 101 (12) and (13) of the Internal Revenue Code; banks, insurance companies, building and loan associations, and companies, incorporated or otherwise, which guarantee the fidelity of any individual or individuals, such as bonding companies, all of which

Farmers' associations.

53 Stat. 33, 34.
26 U. S. C., Supp. V, § 101 (12) and (13).

pay taxes upon gross premiums or earnings under existing laws of the District of Columbia; voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (1) no part of their net earnings inures (other than such payments) to the benefit of any private shareholder or individual, and (2) 85 per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses; and corporations organized under Act of Congress, if such corporations are instrumentalities of the United States."

Federal instrumentalities.

Approved, July 2, 1940.

[CHAPTER 525]

AN ACT

July 2, 1940
[H. R. 9804]
[Public, No. 720]

To amend and clarify section 6, subsection 2, of the Act approved June 1, 1938, known as "Juvenile Court Act of the District of Columbia", and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of continuing and confirming jurisdiction heretofore conferred upon the juvenile court of the District of Columbia, section 6, subsection 2, of the Act approved June 1, 1938 (Public, Numbered 571, Seventy-fifth Congress, third session; 52 Stat. 596, ch. 309; D. C. Code, 1929 edition, Supp. V, title 18, sec. 256), entitled the "Juvenile Court Act of the District of Columbia", be, and the same is hereby, amended to read as follows:

Juvenile Court Act of the District of Columbia, amendment.

"'2. ADULTS.—The court shall have original and exclusive jurisdiction to determine cases of adults charged with willfully contributing to, encouraging, or tending to cause by any act or omission any condition which would bring a child within the provisions of this Act. The court shall have concurrent jurisdiction with the District Court of the United States for the District of Columbia in all cases arising under the Act entitled "An Act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances", approved March 23, 1906 (D. C. Code, title 6, secs. 270–273). Nothing herein shall be construed as having the effect of limiting the jurisdiction of said court in matters arising under the Act entitled "An Act to provide for compulsory school attendance", approved February 4, 1925 (43 Stat. 806, ch. 140); or under the Act entitled "An Act to regulate the employment of minors", approved May 29, 1928 (45 Stat. 998, ch. 908).'"

Jurisdiction.
Adults.
Contributing to delinquency, etc., of children.

Concurrent jurisdiction in abandonment, etc., cases.

34 Stat. 86.

Jurisdiction not deemed limited in certain matters.

7 D. C. Code, §§ 91-100, 141-143.

7 D. C. Code, §§ 111-135, 143, 136, 137.

Approved, July 2, 1940.

[CHAPTER 526]

AN ACT

July 2, 1940
[H. R. 9899]
[Public, No. 721]

Extending the jurisdiction of the Civil Aeronautics Authority over certain air-mail services, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (1) of section 405 of the Civil Aeronautics Act of 1938 is amended to read as follows:

Civil Aeronautics Act of 1938, amendment.
52 Stat. 997.
39 U. S. C., Supp. V, § 471.

"(1) Nothing contained in this Act shall be construed to repeal in whole or in part the provisions of section 6 of the Act entitled 'An Act to provide for experimental air-mail service, to further develop safety, efficiency, economy, and for other purposes', approved April

Experimental air-mail service.
52 Stat. 219.
39 U. S. C., Supp. V, § 470.