

gallons or such other reasonable rate as may be agreed upon by both Governments: *And provided further*, That the turning over to the Government of the Republic of Panama of the physical properties of the water and sewerage systems and the administration thereof, including the collection of the water rates, does not in any way modify the existing arrangement in respect to responsibility for the public health services of the cities of Panama and Colon as specified in the second paragraph of article VII of the Convention between the United States of America and Panama, signed at Washington, November 18, 1903.

SEC. 2. The Panama Railroad Company is hereby authorized to convey to the Republic of Panama, in whole or in part, all of its right, title, and interest in and to so much of the lands of the Panama Railroad Company located in the cities of Panama and Colon as, in the opinion of the Secretary of War, are no longer needed for the operation of the Panama Railroad or for the operation, maintenance, sanitation, or defense of the Panama Canal: *Provided*, That any such instruments of conveyance shall contain a provision under which the Panama Railroad Company and any of its successors in interest agrees to fully protect the Government of the United States against any claims for damages or losses heretofore or hereafter incurred by any lessee of any of the lands covered by such conveyance. The authority conferred by this section shall not be exercised after June 30, 1944.

(a) Any conveyance of any land in pursuance of the authority contained herein shall be deemed to release any and all reversionary rights of the United States in said property.

(b) The provisions of the joint resolution entitled "Joint resolution authorizing the disposal of certain lands held by the Panama Railroad Company on Manzanillo Island, Republic of Panama," approved July 10, 1937, so far as they may conflict with the provisions of this joint resolution, are hereby modified accordingly.

SEC. 3. There is hereby authorized to be appropriated out of any moneys in the Treasury, not otherwise appropriated, a sum not to exceed \$2,700,000, to enable the Secretary of the Treasury to pay to the Republic of Panama an amount equivalent to the principal and interest paid by that government on account of the credit of \$2,500,000 made available to it by the Export-Import Bank for the construction of Panama's share of the Chorrera-Rio Hato Highway, and to pay to the Export-Import Bank an amount sufficient to liquidate the remaining obligation of the Republic of Panama to that bank on account of the aforesaid credit.

Approved May 3, 1943.

[CHAPTER 93]

AN ACT

To provide for the payment of overtime compensation to Government employees, 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 shall apply to all civilian officers and employees (including officers and employees whose wages are fixed on a monthly or yearly basis and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose, except those in or under the Government Printing Office or the Tennessee Valley Authority) in or under the United States Government, including Government-owned or controlled corporations,

Public health services.

33 Stat. 2236.

Conveyance by Panama Railroad Company.

Protection of U. S. against damage claims.

Termination of authority.

Release of reversionary rights.

Modification of conflicting provisions.

50 Stat. 511.

Appropriation authorized.
Post, p. 544.

May 7, 1943

[H. R. 1860]

[Public Law 49]

War Overtime Pay Act of 1943.
Personnel included.
Post, p. 440.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. II, § 661 *et seq.*
Persons not in-
cluded.

Ante, p. 45.

"Elected officials."

Basis of payment.

56 Stat. 1068.
5 U. S. C., Supp. II,
§§ 29 note, 26a note.
Limitation.

Aggregate compen-
sation.

Compensatory
time.

Additional pay in
lieu of overtime pay.
Designated employ-
ees.

and to those employees of the District of Columbia municipal government who occupy positions subject to the Classification Act of 1923, as amended, except that this Act shall not apply to (a) elected officials; (b) judges; (c) heads of departments, independent establishments, and agencies; (d) officers and employees in the field service of the Post Office Department; (e) employees whose wages are fixed on a daily or hourly basis and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose; (f) employees outside the continental limits of the United States, including Alaska, who are paid in accordance with local prevailing native wage rates for the area in which employed; (g) officers and employees of the Inland Waterways Corporation; and (h) individuals to whom the provisions of section 1 (a) of the Act entitled "An Act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes", approved March 24, 1943 (Public Law Numbered 17, Seventy-eighth Congress), are applicable. As used in this section the term "elected officials" shall not include officers elected by the Senate or House of Representatives who are not members of either body.

SEC. 2. Officers and employees to whom this Act applies and who are not entitled to additional compensation under section 3 shall be paid overtime compensation computed on the same basis as the overtime compensation which was authorized to be paid under Public Law Numbered 821, Seventy-seventh Congress: *Provided*, That such overtime compensation shall be paid only on the portion of an officer's or employee's basic rate of compensation not in excess of \$2,900 per annum: *Provided further*, That such overtime compensation shall be paid on such portion of an officer's or employee's basic rate of compensation notwithstanding the fact that such payment will cause his aggregate compensation to exceed a rate of \$5,000 per annum: *And provided further*, That in lieu of overtime compensation for work in excess of forty-eight hours in any administrative workweek, the heads of departments, establishments, and agencies may in their discretion grant per annum employees compensatory time off from duty.

SEC. 3. (a) Except as provided in subsection (c), officers and employees to whom this Act applies and whose hours of duty are intermittent or irregular, officers and employees in or under the legislative and judicial branches (except those in the Library of Congress, or the Botanic Garden, and per annum employees in or under the Office of the Architect of the Capitol who are regularly required to work not less than forty-eight hours per week) to whom this Act applies, and, subject to the approval of the Civil Service Commission, officers and employees whose hours of work are governed by those of private establishments which they serve and for whom on this account overtime work schedules are not feasible, shall be paid, in lieu of the overtime compensation authorized under section 2 of this Act, additional compensation at the rate of (1) \$300 per annum if their earned basic compensation is at a rate of less than \$2,000 per annum, or (2) 15 per centum of so much of their earned basic compensation as is not in excess of a rate of \$2,900 per annum if their earned basic compensation is at a rate of \$2,000 per annum or more.

(b) Any officer or employee to whom this Act applies and who is entitled to no additional compensation under subsection (a) or subsection (c) for a pay period, shall be paid for such pay period, in lieu of overtime compensation under section 2, additional compensation at the rate of \$300 per annum, unless his overtime compensation under section 2 for such pay period is at least equal to such additional compensation.

(c) Any officer or employee to whom this Act applies and whose hours of duty are less than full time, or whose compensation is based upon other than a time period basis shall be paid, in lieu of overtime compensation or additional compensation under the foregoing provisions of this Act, additional compensation at a rate of 15 per centum of so much of their earned basic compensation as is not in excess of a rate of \$2,900 per annum.

(d) In no case shall any officer or employee be paid additional compensation under this section for any pay period amounting to more than 25 per centum of his earned basic compensation for such pay period.

SEC. 4. The provisions of section 3 of this Act shall apply to the official reporters of proceedings and debates of the Senate and their employees.

SEC. 5. The Act approved February 10, 1942 (Public Law Numbered 450, Seventy-seventh Congress), and section 4 of the Act approved May 2, 1941 (Public Law Numbered 46, Seventy-seventh Congress), as amended, are hereby repealed.

SEC. 6. The provisions of the Saturday half-holiday law of March 3, 1931 (46 Stat. 1482; U. S. C., title 5, sec. 26 (a)), are hereby suspended for the period during which this Act is in effect.

SEC. 7. The provisions of this Act shall not operate to prevent payment for overtime services in accordance with any of the following statutes: Act of February 13, 1911, as amended (U. S. C., title 19, secs. 261 and 267); Act of July 24, 1919 (41 Stat. 241; U. S. C., title 7, sec. 394); Act of June 17, 1930, as amended (U. S. C., title 19, secs. 1450, 1451, and 1452); Act of March 2, 1931 (46 Stat. 1467; U. S. C., title 8, secs. 109a and 109b); Act of May 27, 1936, as amended (52 Stat. 345; U. S. C., title 46, sec. 382b); Act of March 23, 1941 (Public Law Numbered 20, Seventy-seventh Congress): *Provided*, That the overtime services covered by such payment shall not also form a basis for overtime compensation under this Act.

SEC. 8. Whenever the Civil Service Commission shall find that within the same Government organization and at the same location gross inequities exist, to such extent as to interfere with the prosecution of the war, between basic per annum rates of pay fixed for any class of positions under the Classification Act of 1923, as amended, and the compensation of employees whose basic rates of pay are fixed by wage boards or similar administrative authority serving the same purpose, the Commission is hereby empowered, in order to correct or reduce such inequities, to establish as the minimum rate of pay for such class of positions any rate within the range of pay fixed by the Classification Act of 1923, as amended, for the grade to which such class of positions is allocated under such Act.

SEC. 9. The Civil Service Commission is authorized and directed to promulgate such rules and regulations as may be necessary and proper for the purpose of coordinating and supervising the administration of the provisions of the foregoing sections of this Act insofar as such provisions affect employees in or under the executive branch of the Government.

SEC. 10. Representatives, Delegates, the Resident Commissioner from Puerto Rico, and chairmen of standing committees may rearrange or change the schedule of salaries and the number of employees in their respective offices or committees: *Provided*, That such changes shall not increase the aggregate of the salaries provided for such offices or committees by law: *Provided further*, That no salary shall be fixed hereunder at a rate in excess of \$4,500 per annum and no action shall be taken to reduce any salary which is specifically fixed by law at a rate higher than \$4,500: *Provided further*, That Representatives, Delegates, the Resident Commissioner from Puerto Rico,

Limitation.

Senate official reporters, etc.

56 Stat. 88; 55 Stat. 150.
49 U. S. C., Supp. II, § 241 note; 46 U. S. C., Supp. II, note prec. § 1251.

Saturday half holidays, suspension.
5 U. S. C., Supp. II, § 26a note.

Payment under certain prior laws.

36 Stat. 901.

7 U. S. C., Supp. II, § 394 note.
46 Stat. 715.

55 Stat. 46.
47 U. S. C., Supp. II, § 154.

Adjustment of inequities.

42 Stat. 1488.
5 U. S. C. § 661; Supp. II, § 661 et seq.

Rules and regulations.

Employees of Representatives, etc.
Rearrangement of salary schedules.

Employees re-
quired.
Determination of
number.

Effect of noncom-
pliance.

56 Stat. 1068.
5 U. S. C., Supp. II,
§§ 29 note, 26a note.
Transfer of released
employees.

Pensions and re-
tired pay.

38 U. S. C. note
fol. § 724.

47 Stat. 406.
5 U. S. C. § 59a.

Nonapplicability.

Effective date; du-
ration.

Short title.

and committee chairmen, on or before the tenth day of the month in which such changes are to become effective, shall certify in writing such changes or rearrangements to the disbursing office which shall thereafter pay such employees in accord with such changed schedule.

SEC. 11. The heads of departments and agencies in the executive branch, whose employees are affected by the provisions of this Act, shall present to the Director of the Bureau of the Budget and to the Congress such information as the Director shall from time to time, but not less frequently than the first day of each quarter, require for the purpose of determining the number of employees required for the proper and efficient exercise of the functions of their respective departments and agencies. The Director shall, from time to time, but not less frequently than the thirtieth day after the beginning of each quarter, determine the number of employees so required, and any personnel of any such department or agency in excess thereof shall be released at such times as the Director shall order. Such determination shall be reported to the Congress each quarter. Sections 2 and 3 of this Act shall cease to be applicable to the employees of such department or agency unless the head thereof shall certify within thirty days from the effective date so prescribed by the Director that the number of employees of his agency does not exceed the number determined by the Director to be required for the proper and efficient exercise of its functions. Any determinations and directions made by the Director under the authority of Public Law 821, Seventy-seventh Congress, are hereby continued in effect until modified by him. The Civil Service Commission is authorized to transfer to other departments and agencies any employees released pursuant to this section whose services are needed in and can be effectively utilized by such other departments or agencies, and the services of these employees are to be utilized by the departments and agencies before additional employees are recruited.

SEC. 12. Amounts received as overtime compensation or additional compensation under this Act shall not be considered in determining the amount of a person's annual income or annual rate of compensation for the purposes of paragraph II (a) of part III of Veterans Regulation Numbered 1 (a), as amended, or section 212 of title II of the Act entitled "An Act making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes", approved June 30, 1932, as amended.

SEC. 13. This Act shall not apply to civilian employees of the Transportation Corps of the Army of the United States on vessels operated by the United States or to vessel employees of the Coast and Geodetic Survey, and such employees may be compensated in accordance with the wage practices of the maritime industry.

SEC. 14. This Act shall take effect on May 1, 1943, and shall terminate on June 30, 1945, or such earlier date as the Congress by concurrent resolution may prescribe.

SEC. 15. This Act may be cited as the "War Overtime Pay Act of 1943".

Approved May 7, 1943.

[CHAPTER 94]

JOINT RESOLUTION

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1943, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the following respective purposes, namely:

May 7, 1943
[H. J. Res. 115]
[Public Law 50]

Urgent deficiency
appropriations, 1943.