

[CHAPTER 511]

AN ACT

Making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes.

July 19, 1937
[H. R. 7493]
[Public, No. 208]

Be it enacted 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 fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes, namely:

War Department
Civil Appropriation
Act, 1938.

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of land; purchase of tools and materials; purchase of one motor-propelled hearse at a cost not to exceed \$3,150; and for the repair, maintenance, and operation of motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including the burial site of Pushmataha, a Choctaw Indian Chief; repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; headstones for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873 (U. S. C., title 24, sec. 279), February 3, 1879 (U. S. C., title 24, sec. 280), March 9, 1906 (34 Stat., p. 56), March 14, 1914 (38 Stat., p. 768), and February 26, 1929 (U. S. C., title 24, sec. 280a), and civilians interred in post cemeteries; recovery of bodies and disposition of remains of military personnel and civilian employees of the Army under Act approved March 9, 1928 (U. S. C., title 10, sec. 916); for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island, \$1,227,009, of which \$295,477 shall be available immediately: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Quartermaster
Corps.

National cemeteries.

Maintenance, im-
provement, etc.

Vehicles.

Arlington, Va.

Plot in Congression-
al Cemetery, D. C.

Roadways; restric-
tion.

Headstones.
20 Stat. 281; 34 Stat.
56; 33 Stat. 768; 45
Stat. 1307.
24 U. S. C. §§ 279,
280, 280a.

Recovery of bodies,
etc.
45 Stat. 251.
10 U. S. C. § 916.

Monuments, etc., in
Cuba and China.

Confederate ceme-
teries, etc.

Sum immediately
available.
Provisos.
Encroachments for-
bidden.

Repairs restricted.

Signal Corps.

Alaska Communi-
cation System.
Operation, improve-
ment, etc.

From receipts.

SIGNAL CORPS

ALASKA COMMUNICATION SYSTEM

For operation, maintenance, and improvement of the Alaska Communication System and for purchase, including exchange, of one motor-propelled passenger-carrying vehicle, and for operation and maintenance of vehicles of this character, \$166,338, to be derived from the receipts of the Alaska Communication System which have

Proviso.
Report to Congress.

been covered into the Treasury of the United States, and to remain available until the close of the fiscal year 1939: *Provided*, That the Secretary of War shall report to Congress the extent and cost of any extensions and betterments which may be effected under this appropriation.

Insular Affairs Bureau.

BUREAU OF INSULAR AFFAIRS

Philippine Islands.

UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

United States High Commissioner's office.

48 Stat. 456.
48 U. S. C. § 1237 (4).
Salaries and expenses.

For the maintenance of the office of the United States High Commissioner to the Philippine Islands as authorized by subsection 4 of section 7 of the Act approved March 24, 1934 (48 Stat. 456), including salaries and wages; rental, furnishings, equipment, maintenance, renovation, and repair of office quarters and living quarters for the High Commissioner; supplies and equipment; purchase and exchange of law books and books of reference, periodicals, and newspapers; traveling expenses, including for persons appointed hereunder within the United States and their families, actual expenses of travel and transportation of household effects from their homes in the United States to the Philippine Islands, utilizing Government vessels whenever practicable; operation, maintenance, and repair of motor vehicles, and all other necessary expenses, \$148,200, of which amount not exceeding \$10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert shall not exceed the annual rate of \$10,000 and \$9,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of \$100.

Travel, etc.

Vehicles.

Household, etc., expenses.

Provisos.
Legal adviser and financial expert.

Minor purchases.
R. S. § 3709.
41 U. S. C. § 5.

Engineer Corps.

CORPS OF ENGINEERS

Rivers and harbors.

RIVERS AND HARBORS

Availability.

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended:

Maintenance of existing works.

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893 (U. S. C., title 33, sec. 661); for such works, hereby authorized, as may be necessary for the protection of the town of Collinsville, Alabama; for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States; for payment annually of tuition fees of not to exceed thirty-five student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as

Boundary, etc., waters, survey.

New York harbor.

California Débris Commission.
27 Stat. 507.
33 U. S. C. § 661.
Protection of Collinsville, Ala.

Removing navigation obstructions.

Student officers at institutions.

amended (U. S. C., title 10, sec. 535); for examinations, surveys, and contingencies of rivers and harbors; and for printing, including illustrations, as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase of motor-propelled passenger-carrying vehicles and motorboats, for official use, not to exceed \$197,971: *Provided*, That no funds shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, \$128,000,000: *Provided further*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board for Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That no appropriation under the Corps of Engineers for the fiscal year 1938 shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business: *Provided further*, That not to exceed \$3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the actual expenses of the properly accredited delegates of the United States to the meeting of the congresses and of the commission.

FLOOD CONTROL

Flood control: For the construction of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936 (49 Stat. 1570-1595), including printing and binding and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this Act, the purchase (not to exceed \$47,250) of motor-propelled passenger-carrying vehicles and motorboats for official use, and not to exceed \$500,000 for preliminary examinations and surveys of flood-control projects authorized by law, \$30,000,000, and, in addition, \$30,000,000 of the appropriation of \$1,500,000,000 contained in the Emergency Relief Appropriation Act of 1937, shall be available exclusively for carrying out the provisions of such Flood Control Act, approved June 22, 1936, and shall be expended under the direction of the Chief of Engineers under the provisions established in and in pursuance of such Emergency Relief Appropriation Act of 1937 not inconsistent herewith: *Provided*, That the requirement in section 1 of such Emergency Relief Appropriation Act of 1937 that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control projects authorized by such Flood Control Act, approved June 22, 1936: *Provided*, That \$500,000 of this appropriation shall be transferred and made available to the Secretary of Agriculture for preliminary examinations and surveys for run-off and waterflow retardation and soil-erosion prevention on the watersheds of flood-control projects authorized by law, including the employment of persons in the District of Columbia and elsewhere,

41 Stat. 785; 44 Stat. 705.
10 U. S. C. § 535.
Surveys, etc.
Printing.

Provisos.
Unauthorized projects forbidden.

Maintenance of harbor channels, outside of harbor lines.

Power-driven boats, restriction on use.

Permanent International Commission of the Congresses of Navigation.

Flood control.

Public works on rivers and harbors.
49 Stat. 1570.
33 U. S. C., Supp. II, §§ 701a-702k.
Printing and binding.

Vehicles.

Preliminary examinations, etc.

Ante, p. 352.

Provisos.
Allocation provisions waived.

Soil erosion, etc., watersheds of flood-control projects.

Services in the District.

Projects authorized to be prosecuted.
49 Stat. 1572.

Local contributions.

Reservoir project plans; modification to increase storage.

Return of excess contributions to States, etc.

Mississippi River and tributaries.
45 Stat. 534; 49 Stat. 1508.
33 U. S. C. § 702a; Supp. II, § 702a-1.

Funds available.

Division of expenditure.

Proviso.
Allocation provisions waived.
Ante, p. 352.
49 Stat. 1570.
33 U. S. C., Supp. II, §§ 701a-f.

Emergency fund for flood control.
49 Stat. 1511.
38 U. S. C., Supp. II, § 702g-1.

Sacramento River, Calif.
39 Stat. 949; 45 Stat. 539.
33 U. S. C. § 704.

purchase of books and periodicals, printing and binding, rent in the District of Columbia, the purchase (not to exceed \$30,000) of motor-propelled passenger-carrying vehicles and motorboats, and for other necessary expenses.

The Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding to the first paragraph of section 5, a proviso reading as follows: "*Provided further*, That the Secretary of War is authorized to receive from States and political subdivisions thereof, such funds as may be contributed by them to be expended in connection with funds appropriated by the United States for any authorized flood control work whenever such work and expenditure may be considered by the Secretary of War, on recommendation of the Chief of Engineers, as advantageous in the public interest, and the plans for any reservoir project may, in the discretion of the Secretary of War, on recommendation of the Chief of Engineers, be modified to provide additional storage capacity for domestic water supply or other conservation storage, on condition that the cost of such increased storage capacity is contributed by local agencies and that the local agencies agree to utilize such additional storage capacity in a manner consistent with Federal uses and purposes: *And provided further*, That when contributions made by States and political subdivisions thereof, are in excess of the actual cost of the work contemplated and properly chargeable to such contributions, such excess contributions may, with the approval of the Secretary of War, be returned to the proper representatives of the contributing interests."

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act, approved May 15, 1928 (U. S. C., title 33, sec. 702a), as amended by the Flood Control Act approved June 15, 1936 (49 Stat. 1508), and for the purchase of motor-propelled passenger-carrying vehicles and motorboats, for official use, not to exceed \$56,300, \$22,500,000, and, in addition, \$22,500,000 of the appropriation of \$1,500,000,000 contained in the Emergency Relief Appropriation Act of 1937 shall be available exclusively for carrying out the provisions of such Flood Control Act, approved May 15, 1928, as amended by such Flood Control Act, approved June 15, 1936, and of such additional amount, \$7,500,000 shall be in augmentation of the foregoing appropriation of \$22,500,000, and the remainder shall be expended under the direction of the Chief of Engineers subject to the provisions established in and in pursuance of such Emergency Relief Appropriation Act of 1937 not inconsistent herewith: *Provided*, That the requirement in section 1 of such Emergency Relief Appropriation Act of 1937 that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control projects authorized by such Flood Control Act, approved June 22, 1936.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (49 Stat. 1508), \$300,000.

Flood control, Sacramento River, California: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved March 1, 1917 (U. S. C., title 33, sec. 703), as modified by the Flood Control Act approved May 15, 1928 (U. S. C., title 33, sec. 704), including not to exceed \$2,600 for the purchase of

motor-propelled passenger-carrying vehicles and motorboats, for official use, \$814,500.

Flood control, Lowell Creek, Alaska: For maintenance of flood-control works in accordance with the Act approved February 14, 1933 (47 Stat., p. 802), \$1,000.

Flood control, Salmon River, Alaska: For maintenance repairs to dikes in the flood-control works at the town of Hyder, Alaska, as authorized by the Act approved June 18, 1934 (48 Stat., p. 991), \$800.

UNITED STATES SOLDIERS' HOME

For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home Permanent Fund, \$804,456: *Provided*, That notwithstanding any other provisions of law, the administration, control, procurement, expenditure, accounting, audit, and methods thereof, of funds appropriated from the Soldiers' Home Permanent Fund (trust fund) shall be according to the laws governing and in effect prior to July 1, 1935, relating specifically to the United States Soldiers' Home, and in accordance with procedure followed prior to such date.

THE PANAMA CANAL

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; law books not exceeding \$1,000; textbooks and books of reference; printing and binding, including printing of annual report; rent and personal services in the District of Columbia; purchase or exchange of typewriting, adding, and other machines; purchase or exchange, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels passing through the locks of the Panama Canal, as authorized by the Panama Canal Act; claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; traveling expenses, when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

For maintenance and operation of the Panama Canal: Salary of the Governor, \$10,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches

Lowell Creek, Alaska.
47 Stat. 802.

Salmon River, Alaska.
48 Stat. 991.
33 U. S. C. § 705.

United States Soldiers' Home.
Maintenance, etc.

Proviso.
Administration, etc., of funds.

The Panama Canal.

All expenses.

Objects specified.

Printing and binding.

Vehicles.

Damage claims.

Emergencies.

Public funds and securities, transportation and insurance.

Maintenance and operation.
Governor's salary.
Supplies, equipment, etc.

Payment to alien
cripples.
39 Stat. 750.
5 U. S. C. § 793.

of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (U. S. C., title 5, sec. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; in all, \$8,519,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

Sanitation, etc.
Support of insane,
lepers, etc.
Deportation ex-
penses.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, and the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, and including additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, \$918,000.

Chief quarantine
officer.

Civil government
expenses.

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, \$1,131,760.

Availability.
Additional sums.

Total, Panama Canal, \$10,568,760, to be available until expended.

In addition to the foregoing sums there is appropriated for the fiscal year 1938 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, all moneys received by the Panama Canal from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Net profits.

Water, sewers, pave-
ments, etc., Panama
and Colon.

In addition there is appropriated for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, during the fiscal year 1938, the necessary portions of such sums as shall be paid as water rentals or directly by the Government of Panama for such expenses.

Major General
George W. Goethals.
Memorial, erection,
etc., expenses.

Memorial to Major General George W. Goethals: For necessary expenses incident to the selection of the site, and preparation of plans and estimates of cost, for the erection of a memorial to Major General George W. Goethals within the Canal Zone, authorized by the Act approved August 24, 1935 (49 Stat. 743), including travel expenses of the members of the Goethals Memorial Commission appointed by the President under authority of said Act, and of the employees of said Commission; employment of an architect or architects without regard to the provisions of other laws applicable to the employment or compensation of officers and employees of the United States; stationery and supplies; and all other necessary expenses, \$5,000, to be available immediately and also for payment of expenses heretofore incurred in carrying out the purposes of such Act of August 24, 1935.

49 Stat. 743.

Availability.

SEC. 2. Three million dollars of the appropriation "Capital stock, Inland Waterways Corporation", are hereby repealed.

SEC. 3. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1937, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

SEC. 4. This Act may be cited as the "War Department Civil Appropriation Act, 1938".

Approved, July 19, 1937.

Inland Waterways Corporation, capital stock; repeal of appropriation.

Appropriations, etc., available from and including July 1, 1937.

Incurred obligations confirmed.

Short title.

[CHAPTER 516]

AN ACT

To extend for one additional year the 3½-per-centum interest rate on certain Federal land-bank loans, to provide a 4-per-centum interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-per-centum interest rate on Land Bank Commissioner's loans for a period of two years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) effective July 1, 1935, the first sentence of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended (relating to reduction in interest rates on certain Federal land-bank loans), is amended by striking out the following: "occurring within a period of two years commencing July 1, 1935" and inserting in lieu thereof the following: "occurring within a period of three years commencing July 1, 1935, and shall not exceed 4 per centum per annum for all interest payable on installment dates occurring within a period of one year commencing July 1, 1938".

(b) The fourth sentence of such paragraph "Twelfth" (relating to the time limit on payments made by the United States to land banks on account of such interest reduction) is amended to read as follows: "No payments shall be made to a bank with respect to any period after June 30, 1939."

SEC. 2. Section 32 of the Emergency Farm Mortgage Act, as amended (relating to loans by the Land Bank Commissioner), is amended by adding at the end thereof the following new paragraph:

"Notwithstanding the foregoing provisions of this section, the rate of interest on loans made under this section outstanding when this amendatory paragraph takes effect or made on or after such date, shall not exceed 4 per centum per annum for all interest payable on installment dates occurring within a period of two years commencing on the date when this amendatory paragraph takes effect."

W. B. BANKHEAD

Speaker of the House of Representatives.

KEY PITTMAN

President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,

July 13, 1937.

The House of Representatives having proceeded to reconsider the bill (H. R. 6763) entitled "An Act to extend for one additional year the 3½-per-centum interest rate on certain Federal land-bank loans, to provide a 4-per-centum interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-per-centum

July 22, 1937
[H. R. 6763]
[Public, No. 209]

Federal land-bank loans.
Extension of reduced interest rate.
49 Stat. 1912.

Time limit on payments by U. S. to land banks extended.

Loans by Land Bank Commissioner.
48 Stat. 48.

Interest rate limitation.

Certificate of the House of Representatives.