

[CHAPTER 692]

AN ACT

To amend an Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924.

August 11, 1939
[S. 2778]
[Public, No. 389]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, be amended by striking from the last sentence of section 10 thereof the word "thirty" and inserting in lieu thereof the word "sixty".

Motor-vehicle fuel
taxes, D. C.
Time limitation for
filing application for
refund.
43 Stat. 108.

Approved, August 11, 1939.

[CHAPTER 693]

AN ACT

To provide for the transfer of United States Employment Service records, files, and property in local offices to the States.

August 11, 1939
[H. R. 4108]
[Public, No. 390]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of assisting the State employment services established and maintained in accordance with the terms of the Act of June 6, 1933, entitled "An Act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes", as amended (48 Stat. 113; 49 Stat. 216), the Federal Security Administrator is hereby authorized without payment of compensation to transfer and assign to the States in which it is located all property, including records, files, and office equipment, used by the United States Employment Service in its administrative and local employment offices in the respective States, except the records, files, and property used in the Veterans' Service and in the Farm Placement Service maintained under the said Act, as soon as such States establish and maintain systems of public employment offices, in accordance with the terms of sections 4, 5, and 8 of the said Act and the regulations promulgated thereunder.

United States Em-
ployment Service.
Transfer of records
and property in local
offices to States.

48 Stat. 113; 49 Stat.
216.
29 U. S. C., ch. 4B;
Supp. IV, ch. 4B.

Exception.

Approved, August 11, 1939.

[CHAPTER 694]

AN ACT

Authorizing and providing for the construction of additional facilities on the Canal Zone for the purposes of more adequately providing for the defense of the Panama Canal and for increasing its capacity for the future needs of interoceanic shipping.

August 11, 1939
[H. R. 5129]
[Public, No. 391]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the improvement and enlargement of the capacity of the Panama Canal in the interests of defense and interoceanic commerce is hereby authorized to be prosecuted by the Governor of the Panama Canal under the supervision of the Secretary of War, substantially in accordance with the plans set forth and recommended in the report of the Governor of the Panama Canal, dated February 24, 1939, and published as House Document Numbered 210 and including such appurtenant structures, works, and facilities, and enlargements or improvements of existing channels, structures, works, and facilities as may be deemed

Panama Canal,
C. Z.
Improvement and
enlargement of ca-
pacity of, authorized.

Appropriation authorized.
Provisos.
Citizenship requirements, new personnel.

Initial appropriation.

Employees authorized.

Provisos.
Compensation.

Excess rates, restriction.

Expert assistance.

Contracts without advertising.

Auxiliary plants and facilities.

Panama Railroad Company, use of facilities and services.

Purchases by Panama Canal to be made after advertising; exceptions.

necessary at a total cost not to exceed \$277,000,000, which is hereby authorized to be appropriated for the purpose: *Provided, however,* That all new personnel in such construction work occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States: *Provided further,* That the initial appropriation for the fiscal year 1940 shall not exceed \$15,000,000. For the purposes aforesaid, the Governor of the Panama Canal is authorized (a) to employ such persons as he may deem necessary and to fix their compensation: *Provided,* That the compensation of such persons shall not be lower than the compensation paid for the same or similar services to other employees of the Panama Canal: *Provided further,* That rates of compensation in excess of those authorized by law for other employees of the Panama Canal shall not be paid without the approval of the Secretary of War: *And provided further,* That the Governor of the Panama Canal with the approval of the Secretary of War is authorized to engage under agreement when deemed necessary expert assistance in the various arts and sciences upon terms and rates of compensation for services and incidental expenses in excess of the maximum compensation provided by law for employees of the Panama Canal; (b) to authorize the making of contracts without the advertisement hereinafter prescribed, with architectural or engineering corporations, firms, or individuals for the production and delivery of designs, plans, drawings, and specifications; (c) to authorize the making of any and all contracts necessary for the prosecution of the work herein authorized; (d) to provide for the establishment and operation of such auxiliary plants and facilities in connection with the work as may be necessary or desirable; (e) to utilize any of the facilities or services of the Panama Railroad Company upon such terms and conditions as may be approved by the Secretary of War; and (f) in general to do all things proper and necessary to insure the prompt and efficient completion of the work herein authorized.

Notwithstanding any other provision of law, and except as otherwise provided in this Act, all purchases and contracts for supplies or for services, except for personal services, shall be made by the Panama Canal after advertising, in such manner and at such times, sufficiently in advance of opening of bids, as the Governor or his duly authorized representative in the United States shall determine to be adequate to insure notice and opportunity for competition. Such advertisement shall not be required, however, when (a) an emergency requires immediate delivery of the supplies or performance of the services; or (b) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (c) the aggregate amount involved in any purchase of supplies or procurement of services does not exceed \$500; in which cases such purchases of supplies or procurement of services may be made in the open market in the manner common among businessmen. In comparing bids and in making awards the Governor or his duly authorized representative in the United States may consider such factors as relative quality and adaptability of supplies or services, the bidder's financial responsibility, skill, experience, record of integrity in dealing, and ability to furnish repairs and maintenance services, the time of delivery or performance offered, and whether the bidder has complied with the specifications.

Approved, August 11, 1939.