

## SEC. 2. TERMINATION OF REPRICING OF WAR CONTRACTS.

Section 802 (b) of the Revenue Act of 1943 (relating to repricing of war contracts) is amended to read as follows:

"(b) Section 801 shall not apply to any contract with a Department or any subcontract made after (1) the date proclaimed by the President as the date of the termination of hostilities in the present war, or (2) the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, or (3) December 31, 1945, whichever date is the earlier."

Approved June 30, 1945.

58 Stat. 93.  
50 U. S. C., Supp.  
IV, app. § 1192 note.

## [CHAPTER 211]

## JOINT RESOLUTION

To continue the temporary increases in postal rates on first-class matter, and for other purposes.

June 30, 1945  
[H. J. Res. 184]  
[Public Law 105]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1001 (a), as amended (relating to temporary increase in first-class postage rate), of the Revenue Act of 1932, and section 2, as amended (authorizing the President to modify certain postage rates), of the Act entitled "An Act to extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes", approved June 16, 1933, are further amended by striking out "July 1, 1945" wherever appearing therein and inserting in lieu thereof "July 1, 1947", and by striking out "June 30, 1945" wherever appearing therein and inserting in lieu thereof "June 30, 1947".

47 Stat. 285; 48 Stat.  
254; 57 Stat. 157.  
39 U. S. C. § 280  
note; Supp. IV, § 280  
note.

SEC. 2. Section 732 (d) of the Internal Revenue Code is amended to read as follows:

56 Stat. 917.  
26 U. S. C., Supp.  
IV, § 732 (d).

"(d) REVIEW BY SPECIAL DIVISION OF BOARD.—The determinations and redeterminations by any division of the Board involving any question arising under section 721 (a) (2) (C) or section 722 with respect to any taxable year shall be reviewed by a special division of the Board which shall be constituted by the Chairman and consist of not less than three members of the Board. The decisions of such special division shall not be reviewable by the Board, and shall be deemed decisions of the Board."

55 Stat. 22, 23.  
26 U. S. C., Supp.  
IV, §§ 721 (a) (2) (C),  
722.

Approved June 30, 1945.

## [CHAPTER 212]

## AN ACT

To improve salary and wage administration in the Federal service; to provide pay for overtime and for night and holiday work; to amend the Classification Act of 1923, as amended; to bring about a reduction in Federal personnel and to establish personnel ceilings for Federal departments and agencies; to require a quarterly analysis of Federal employment; and for other purposes.

June 30, 1945  
[S. 807]  
[Public Law 106]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Federal Employees Pay Act of 1945".

Federal Employees  
Pay Act of 1945.

## TITLE I—COVERAGE AND EXEMPTIONS

## COVERAGE

SEC. 101. (a) Subject to the exemptions specified in section 102 of this Act, titles II and III of this Act shall apply (1) to all civilian officers and employees in or under the executive branch of the Government, including Government-owned or controlled corporations, and in or under the District of Columbia municipal government, and (2) to those officers and employees of the judicial branch of the Government, the Library of Congress, the Botanic Garden, and the Office of



42 Stat. 1488.  
5 U. S. C. § 661;  
Supp. IV, § 661 *et seq.*  
*Post*, p. 298 *et seq.*

Legislative and judicial branches.

*Supra*.

General Accounting Office.

the Architect of the Capitol who occupy positions subject to the Classification Act of 1923, as amended.

(b) Title IV of this Act shall apply to officers and employees who occupy positions subject to the Classification Act of 1923, as amended.

(c) Subject to the exemptions specified in section 102 of this Act, title V of this Act shall apply to officers and employees in or under the legislative or the judicial branch of the Government whose compensation is not fixed in accordance with the Classification Act of 1923, as amended, and to the official reporters of proceedings and debates of the Senate and their employees.

(d) Subject to the exemptions specified in section 102 of this Act, title VI of this Act (containing miscellaneous provisions) shall apply to civilian officers and employees of the Government according to the terms thereof.

(e) All provisions of this Act applicable to the executive branch of the Government shall be applicable to the General Accounting Office.

#### EXEMPTIONS

43 Stat. 367.  
D. C. Code § 31-601  
*et seq.*  
*Ante*, p. 99; *post*, p. 500.

*Post*, p. 304.

57 Stat. 45.  
50 U. S. C., Supp.  
IV, app. § 1291 (a).

SEC. 102. (a) This Act shall not apply to (1) elected officials; (2) Federal judges; (3) heads of departments or of independent establishments or agencies of the Federal Government, including Government-owned or controlled corporations; (4) employees of the District of Columbia municipal government whose compensation is fixed by the Teachers' Salary Act of June 4, 1924, as amended; and (5) officers and members of the Metropolitan Police or of the Fire Department of the District of Columbia. As used in this subsection the term "elected officials" shall not include officers elected by the Senate or House of Representatives who are not members of either body.

(b) This Act, except section 607, shall not apply to (1) officers and employees in the field service of the Post Office Department; (2) employees outside the continental limits of the United States, including those in Alaska, who are paid in accordance with local native prevailing wage rates for the area in which employed; (3) officers and employees of the Inland Waterways Corporation; (4) officers and employees of the Tennessee Valley Authority; (5) individuals to whom the provisions of section 1 (a) of the Act of March 24, 1943 (Public Law Numbered 17, Seventy-eighth Congress), are applicable; and (6) officers and members of the United States Park Police and the White House Police.

(c) This Act, except sections 203 and 607, shall not apply to employees whose basic compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose.

(d) This Act, except sections 606 and 607, shall not apply to employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, to vessel employees of the Coast and Geodetic Survey, or to vessel employees of the Panama Railroad Company.

### TITLE II—COMPENSATION FOR OVERTIME

#### OVERTIME PAY

Work in excess of 40 hours.

Overtime rates.  
Compensation less than \$2,980.

SEC. 201. Officers and employees to whom this title applies shall, in addition to their basic compensation, be compensated for all hours of employment, officially ordered or approved, in excess of forty hours in any administrative workweek, at overtime rates as follows:

(a) For employees whose basic compensation is at a rate less than \$2,980 per annum, the overtime hourly rate shall be one and one-half times the basic hourly rate of compensation: *Provided*, That in computing such overtime compensation for per annum employees, the basic



hourly rate of compensation shall be determined by dividing the per annum rate by two thousand and eighty.

(b) For employees whose basic compensation is at a rate of \$2,980 per annum or more, the overtime hourly rate shall be in accordance with and in proportion to the following schedule:

\$2,980 or more.

| Basic rate of compensation<br>per annum | Overtime rate of compensation<br>per 416 overtime hours |
|-----------------------------------------|---------------------------------------------------------|
| \$2,980                                 | \$894.000                                               |
| 3,090                                   | 885.554                                                 |
| 3,200                                   | 877.108                                                 |
| 3,310                                   | 868.662                                                 |
| 3,420                                   | 860.216                                                 |
| 3,530                                   | 851.770                                                 |
| 3,640                                   | 843.324                                                 |
| 3,750                                   | 834.878                                                 |
| 3,860                                   | 826.432                                                 |
| 3,970                                   | 817.986                                                 |
| 4,080                                   | 809.540                                                 |
| 4,190                                   | 801.094                                                 |
| 4,300                                   | 792.648                                                 |
| 4,410                                   | 784.202                                                 |
| 4,520                                   | 775.756                                                 |
| 4,630                                   | 767.310                                                 |
| 4,740                                   | 758.864                                                 |
| 4,960                                   | 741.972                                                 |
| 5,180                                   | 725.080                                                 |
| 5,390                                   | 708.955                                                 |
| 5,600                                   | 692.831                                                 |
| 5,810                                   | 676.707                                                 |
| 6,020                                   | 660.583                                                 |
| 6,230                                   | 644.458                                                 |
| 6,440 and over                          | 628.334                                                 |

#### COMPENSATORY TIME OFF FOR IRREGULAR OR OCCASIONAL OVERTIME WORK

SEC. 202. (a) The heads of departments, or of independent establishments or agencies, including Government-owned or controlled corporations, and of the District of Columbia municipal government, and the heads of legislative or judicial agencies to which this title applies, may by regulation provide for the granting of compensatory time off from duty, in lieu of overtime compensation for irregular or occasional duty in excess of forty-eight hours in any regularly scheduled administrative workweek, to those per annum employees requesting such compensatory time off from duty.

(b) The Architect of the Capitol may, in his discretion, grant per annum employees compensatory time off from duty in lieu of overtime compensation for any work in excess of forty hours in any regularly scheduled administrative workweek.

#### WAGE-BOARD EMPLOYEES

SEC. 203. Employees whose basic rate of compensation is fixed on an annual or monthly basis and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose shall be entitled to overtime pay in accordance with the provisions of section 23 of the Act of March 28, 1934 (U. S. C., 1940 edition, title 5, sec. 673c). The rate of compensation for each hour of overtime employment of any such employee shall be computed as follows:

48 Stat. 522.

(a) If the basic rate of compensation of the employee is fixed on an annual basis, divide such basic rate of compensation by two thousand and eighty and multiply the quotient by one and one-half; and

If basic rate fixed on annual basis.

(b) If the basic rate of compensation of the employee is fixed on a monthly basis, multiply such basic rate of compensation by twelve

Monthly basis.



to derive a basic annual rate of compensation, divide such basic annual rate of compensation by two thousand and eighty, and multiply the quotient by one and one-half.

### TITLE III—COMPENSATION FOR NIGHT AND HOLIDAY WORK

#### NIGHT PAY DIFFERENTIAL

Differential not included in overtime.

58 Stat. 648.  
31 U. S. C., Supp.  
IV, § 180.

SEC. 301. Any officer or employee to whom this title applies who is assigned to a regularly scheduled tour of duty, any part of which falls between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian, shall, for duty between such hours, excluding periods when he is in a leave status, be paid compensation at a rate 10 per centum in excess of his basic rate of compensation for duty between other hours: *Provided*, That such differential for night duty shall not be included in computing any overtime compensation to which the officer or employee may be entitled: *And provided further*, That this section shall not operate to modify the provisions of the Act of July 1, 1944 (Public Law Numbered 394, Seventy-eighth Congress), or any other law authorizing additional compensation for night work.

#### COMPENSATION FOR HOLIDAY WORK

SEC. 302. Officers and employees to whom this title applies who are assigned to duty on a holiday designated by Federal statute or Executive order shall be compensated for such duty, excluding periods when they are in leave status, in lieu of their regular pay for that day, at the rate of one and one-half times the regular basic rate of compensation: *Provided*, That extra holiday compensation paid under this section shall not serve to reduce the amount of overtime compensation to which the employee may be entitled under this or any other Act during the administrative workweek in which the holiday occurs, but such extra holiday compensation shall not be considered to be a part of the basic compensation for the purpose of computing such overtime compensation. This section shall take effect upon the cessation of hostilities in the present war as proclaimed by the President, or at such earlier time as the Congress by concurrent resolution may prescribe. Prior to so becoming effective, it shall be effective with respect to any designated holiday only if the President has declared that such day shall not be generally a workday in the Federal service.

### TITLE IV—AMENDMENTS TO CLASSIFICATION ACT OF 1923, AS AMENDED

#### ESTABLISHMENT OF RATES FOR CLASSES OF POSITIONS WITHIN GRADES

42 Stat. 1489.  
5 U. S. C. § 663.

Rates for classes within grades.

Post, p. 300.  
Correction of inequities.

SEC. 401. Section 3 of the Classification Act of 1923, as amended, is amended by inserting at the end of such section a paragraph reading as follows:

"In subdividing any grade into classes of positions, as provided in the foregoing paragraph, the Civil Service Commission, whenever it deems such action warranted by the nature of the duties and responsibilities of a class of positions in comparison with other classes in the same grade, and in the interests of good administration, is authorized to establish for any such class a minimum rate, which shall be one of the pay rates, but not in excess of the middle rate, of that grade as set forth in section 13 of this Act, as amended. Whenever the Commission shall find that within the same Government organization and at the same location gross inequities exist between basic per annum rates



of pay fixed for any class of positions under this Act 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 not in excess of the middle rate within the range of pay fixed by this Act for the grade to which such class of positions is allocated. For the purposes of this section the fourth rate of a six-rate grade shall be considered to be the middle rate of that grade. Minimum rates established under this paragraph shall be duly published by regulation and, subject to the foregoing provisions, may be revised from time to time by the Commission. The Commission shall make a report of such actions or revisions with the reasons therefor to Congress at the end of each fiscal year. Actions by the Civil Service Commission under this paragraph shall apply to both the departmental and field services and shall have the force and effect of law."

Middle rate of grade.

Report to Congress.

Applicability of actions.

## PERIODIC WITHIN-GRADE SALARY ADVANCEMENTS

SEC. 402. Subsection (b) of section 7 of the Classification Act of 1923, as amended, is amended to read as follows:

55 Stat. 613.  
5 U. S. C., Supp.  
IV, § 667 (b).  
Periodic within-  
grade advancements.

"(b) All employees compensated on a per annum basis, and occupying permanent positions within the scope of the compensation schedules fixed by this Act, who have not attained the maximum rate of compensation for the grade in which their positions are respectively allocated, shall be advanced in compensation successively to the next higher rate within the grade at the beginning of the next pay period following the completion of (1) each twelve months of service if such employees are in grades in which the compensation increments are less than \$200, or (2) each eighteen months of service if such employees are in grades in which the compensation increments are \$200 or more, subject to the following conditions:

Conditions.

"(1) That no equivalent increase in compensation from any cause was received during such period, except increase made pursuant to subsection (f) of this section;

Post, p. 300.

"(2) That an employee shall not be advanced unless his current efficiency is 'good' or better than 'good';

"(3) That the service and conduct of such employee are certified by the head of the department or agency or such official as he may designate as being otherwise satisfactory; and

"(4) That any employee, (A) who, while serving under permanent, war service, temporary, or any other type of appointment, has left his position to enter the armed forces or the merchant marine, or to comply with a war transfer as defined by the Civil Service Commission, (B) who has been separated under honorable conditions from active duty in the armed forces, or has received a certificate of satisfactory service in the merchant marine, or has a satisfactory record on war transfer, and (C) who, under regulations of the Civil Service Commission or the provisions of any law providing for restoration or reemployment, or under any other administrative procedure with respect to employees not subject to civil service rules and regulations, is restored, reemployed, or reinstated in any position subject to this section, shall upon his return to duty be entitled to within-grade salary advancements without regard to paragraphs (2) and (3) of this subsection, and to credit such service in the armed forces, in the merchant marine, and on war transfer, toward such within-grade salary advancements. As used in this paragraph the term 'service in the merchant marine' shall have the same meaning as when used in the Act entitled 'An Act to provide reemployment rights for persons who leave their positions to serve in the merchant marine,

Employees leaving  
to join armed forces,  
etc.

Restoration or re-  
employment.

"Service in the mer-  
chant marine."



57 Stat. 162.

and for other purposes, approved June 23, 1943 (U. S. C., 1940 edition, Supp. IV, title 50 App., secs. 1471 to 1475, inc.)."

REWARDS FOR SUPERIOR ACCOMPLISHMENT; AUTHORIZATION AND  
LIMITATIONS

55 Stat. 614.  
5 U. S. C., Supp.  
IV, § 667 (f).

SEC. 403. Subsection (f) of section 7 of the Classification Act of 1923, as amended, is amended to read as follows:

*Infra.**Ante*, p. 299.

Report to Congress.

"(f) Within the limit of available appropriations, as a reward for superior accomplishment, under standards to be promulgated by the Civil Service Commission, and subject to prior approval by the Civil Service Commission, or delegation of authority as provided in subsection (g), the head of any department or agency is authorized to make additional within-grade compensation advancements, but any such additional advancements shall not exceed one step and no employee shall be eligible for more than one additional advancement hereunder within each of the time periods specified in subsection (b). All actions under this subsection and the reasons therefor shall be reported to the Civil Service Commission. The Commission shall present an annual consolidated report to the Congress covering the numbers and types of actions taken under this subsection."

REWARDS FOR SUPERIOR ACCOMPLISHMENT; RESPONSIBILITY OF CIVIL  
SERVICE COMMISSION

55 Stat. 614.  
5 U. S. C., Supp.  
IV, § 667 (g).  
Administrative reg-  
ulations.

SEC. 404. Subsection (g) of section 7 of the Classification Act of 1923, as amended, is amended to read as follows:

*Supra.*

"(g) The Civil Service Commission is hereby authorized to issue such regulations as may be necessary for the administration of this section. In such regulations the Commission is hereby empowered, in its discretion, to delegate to the head of any department or agency, or his designated representative, the authority to approve additional within-grade compensation advancements provided for in subsection (f), without prior approval in individual cases by the Commission. The Commission is also authorized to withdraw or suspend such authority from time to time, whenever post-audit of such actions by the Commission indicates that standards promulgated by the Commission have not been observed."

INCREASE IN BASIC RATES OF COMPENSATION

42 Stat. 1491.  
5 U. S. C. § 673;  
Supp. IV, § 673.  
*Infra.*

SEC. 405. (a) Each of the existing rates of basic compensation set forth in section 13 of the Classification Act of 1923, as amended, except those affected by subsection (b) of this section, is hereby increased by 20 per centum of that part thereof which is not in excess of \$1,200 per annum, plus 10 per centum of that part thereof which is in excess of \$1,200 per annum but not in excess of \$4,600 per annum, plus 5 per centum of that part thereof which is in excess of \$4,600 per annum. Such augmented rates shall be considered to be the regular basic rates of compensation provided by such section.

Charwomen.

(b) (1) The proviso to the fifth paragraph under the heading "Crafts, Protective, and Custodial Service" in section 13 of the Classification Act of 1923, as amended, is hereby amended to read as follows: "Provided, That charwomen working part time be paid at the rate of 78 cents an hour, and head charwomen at the rate of 83 cents an hour".

Clerical-mechanical service.

(2) Such section is amended so as to provide the following rates of compensation for positions in the clerical-mechanical service:

Grade 1, 78 to 85 cents an hour.

Grade 2, 91 to 98 cents an hour.

Grade 3, \$1.05 to \$1.11 an hour.

Grade 4, \$1.18 to \$1.31 an hour.



(c) The increase in existing rates of basic compensation provided by this section shall not be construed to be an "equivalent increase" in compensation within the meaning of section 7 (b) (1) of the Classification Act of 1923, as amended.

55 Stat. 613.  
5 U. S. C., Supp.  
IV, § 667 (b).  
*Ante*, p. 299.

## TITLE V—EMPLOYEES OF LEGISLATIVE AND JUDICIAL BRANCHES

### PART I—EMPLOYEES OF THE LEGISLATIVE BRANCH

#### INCREASE IN RATES OF COMPENSATION

SEC. 501. Except as provided in section 503, each officer and employee in or under the legislative branch to whom this title applies shall be paid additional compensation computed as follows: 20 per centum of that part of his rate of basic compensation which is not in excess of \$1,200 per annum, plus 10 per centum of that part of such rate which is in excess of \$1,200 per annum but not in excess of \$4,600 per annum, plus 5 per centum of that part of such rate which is in excess of \$4,600 per annum. The additional compensation provided by this section shall be considered a part of the basic compensation of any such officer or employee for the purposes of the Civil Service Retirement Act of May 29, 1930, as amended. The additional compensation provided for by this section and section 502 shall not be taken into account in determining whether any amount expended for clerk hire, or the compensation paid to an officer or employee, is within any limit now prescribed by law.

Accounting for retirement purposes.

46 Stat. 468.  
5 U. S. C. § 691 *et seq.*; Supp. IV, § 691 *et seq.*  
*Post*, pp. 577, 621.

#### TEMPORARY ADDITIONAL COMPENSATION IN LIEU OF OVERTIME

SEC. 502. During the period beginning on July 1, 1945, and ending on June 30, 1947, each officer and employee in or under the legislative branch entitled to the benefits of section 501 of this Act shall be paid additional compensation at the rate of 10 per centum of (a) the aggregate of the rate of his basic compensation and the rate of additional compensation received by him under section 501 of this Act, or (b) the rate of \$2,900 per annum, whichever is the smaller.

#### COMPENSATION FOR OVERTIME

SEC. 503. Hereafter, for overtime pay purposes, per diem and per hour employees under the Office of the Architect of the Capitol not subject to the Classification Act of 1923, as amended, shall be regarded as subject to the provisions of section 23 of the Act of March 28, 1934 (U. S. C., 1940 edition, title 5, sec. 673c), and sections 501 and 502 of this Act shall not be applicable to such employees.

Office of the Architect of the Capitol.

42 Stat. 1488.  
5 U. S. C. § 661; Supp. IV, § 661 *et seq.*  
*Ante*, p. 298 *et seq.*  
48 Stat. 522.

### PART II—EMPLOYEES OF THE JUDICIAL BRANCH

#### INCREASE IN BASIC RATES OF COMPENSATION

SEC. 521. Each officer and employee in or under the judicial branch to whom this title applies shall be paid additional basic compensation computed as follows: 20 per centum of that part of his rate of basic compensation which is not in excess of \$1,200 per annum, plus 10 per centum of that part of such rate which is in excess of \$1,200 per annum but not in excess of \$4,600 per annum, plus 5 per centum of that part of such rate which is in excess of \$4,600 per annum. The limitations of \$6,500 and \$7,500 with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the eighth paragraph under the head "Miscellaneous Items of Expense" in The Judiciary Appropriation Act, 1946 (Public Law Numbered 61, Seventy-ninth Congress), shall be increased by the amounts necessary to pay the additional basic compensation provided

Aggregate salary limitation.

*Ante*, p. 199.



42 Stat. 1488.  
5 U. S. C. § 661;  
Supp. IV, § 661 *et seq.*  
*Ante*, p. 298 *et seq.*

by this section; and the changes in the rates of basic compensation in the Classification Act of 1923, as amended, made by section 405 of this Act shall not be taken into account in fixing salaries under such eighth paragraph.

#### TEMPORARY ADDITIONAL COMPENSATION IN LIEU OF OVERTIME

SEC. 522. During the period beginning on July 1, 1945, and ending on June 30, 1947, each officer and employee in or under the judicial branch entitled to the benefits of section 521 of this Act shall be paid additional compensation at the rate of 10 per centum of (a) the rate of his basic compensation, or (b) the rate of \$2,900 per annum, whichever is the smaller. As used in this section the term "basic compensation" includes the additional basic compensation provided for by section 521 of this Act.

### TITLE VI—MISCELLANEOUS PROVISIONS

#### EFFECT ON EXISTING LAWS AFFECTING CERTAIN INSPECTIONAL GROUPS

36 Stat. 901.  
41 Stat. 241.  
7 U. S. C., Supp. IV,  
§ 394.  
46 Stat. 715.  
19 U. S. C., Supp.  
IV, § 1450 *et seq.*  
46 Stat. 1467.  
49 Stat. 1385.  
55 Stat. 46.  
58 Stat. 269.  
19 U. S. C., Supp.  
IV, §§ 1451, 1451a.

SEC. 601. The provisions of this Act shall not operate to prevent payment for overtime services or extra pay for Sunday or holiday work in accordance with any of the following statutes: Act of February 13, 1911, as amended (U. S. C., 1940 edition, title 19, secs. 261 and 267); Act of July 24, 1919 (U. S. C., 1940 edition, title 7, sec. 394); Act of June 17, 1930, as amended (U. S. C., 1940 edition, title 19, secs. 1450, 1451, and 1452); Act of March 2, 1931 (U. S. C., 1940 edition, title 8, secs. 109a and 109b); Act of May 27, 1936, as amended (U. S. C., 1940 edition, title 46, sec. 382b); Act of March 23, 1941 (U. S. C., 1940 edition, Supp. IV, title 47, sec. 154 (f) (2)); Act of June 3, 1944 (Public Law Numbered 328, Seventy-eighth Congress): *Provided*, That the overtime, Sunday, or holiday services covered by such payment shall not also form a basis for overtime or extra pay under this Act.

#### INCREASE IN BASIC STATUTORY RATES OF COMPENSATION NOT UNDER CLASSIFICATION ACT OF 1923, AS AMENDED

Customs Service,  
etc.

45 Stat. 955.  
19 U. S. C. §§ 6a-6d.  
39 Stat. 893.  
8 U. S. C. § 109;  
Supp. IV, § 109.

Positions in execu-  
tive branch or D. C.  
government.

SEC. 602. (a) The existing basic rates of pay set forth in the Act entitled "An Act to adjust the compensation of certain employees in the Customs Service", approved May 29, 1928, as amended, and those set forth in the second paragraph of section 24 of the Immigration Act of 1917, as amended, are hereby increased in the same amount that corresponding rates would be increased under the provisions of section 405 of this Act; and each such augmented rate shall be considered to be the regular basic rate of compensation.

(b) Basic rates of compensation specifically prescribed by statute of Congress for positions in the executive branch or the District of Columbia municipal government which are not increased by any other provision of this Act are hereby increased in the same amount that corresponding rates would be increased under the provisions of section 405 of this Act; and each such augmented rate shall be considered to be the regular basic rate of compensation.

#### LIMITATIONS ON REDUCTIONS AND INCREASES IN COMPENSATION

42 Stat. 1488.  
5 U. S. C. § 661;  
Supp. IV, § 661 *et seq.*  
*Ante*, p. 298 *et seq.*

SEC. 603. (a) The aggregate per annum rate of compensation with respect to any pay period, in the case of any full-time employee in the service on July 1, 1945, (1) who was a full-time employee on June 30, 1945, (2) whose per annum basic rate of compensation on June 30, 1945, did not exceed a rate of \$1,800 per annum, and (3) whose compensation is fixed in accordance with the provisions of the Classification Act of 1923, as amended, or the Act entitled "An Act to adjust the compensation of certain employees in the Customs Service",



approved May 29, 1928, as amended, shall not, under the rates of compensation established by this Act, so long as he continues to occupy the position he occupied on June 30, 1945, be less than his per annum basic rate of compensation on such date, plus the rate of \$300 per annum or 25 per centum of such per annum basic rate of compensation, whichever is the smaller amount.

(b) Notwithstanding any other provision of this Act, no officer or employee shall, by reason of the enactment of this Act, be paid, with respect to any pay period, basic compensation, or basic compensation plus any additional compensation provided by this Act, at a rate in excess of \$10,000 per annum, except that (1) any officer or employee who was receiving overtime compensation on June 30, 1945, and whose aggregate rate of compensation on such date was in excess of \$10,000 per annum may receive overtime compensation at such rate as will not cause his aggregate rate of compensation for any pay period to exceed the aggregate rate of compensation he was receiving on June 30, 1945, until he ceases to occupy the office or position he occupied on such date or until the overtime hours of work in his administrative workweek are reduced by action of the head of his department or independent establishment or agency, or Government-owned or controlled corporation, and when such overtime hours are reduced such rate of overtime compensation shall be reduced proportionately, and (2) any officer or employee who, because of the receipt of additional compensation in lieu of overtime compensation, was receiving aggregate compensation at a rate in excess of \$10,000 per annum on June 30, 1945, may continue to receive such rate of aggregate compensation so long as he continues to occupy the office or position he occupied on such date but in no case beyond June 30, 1947.

#### ESTABLISHMENT OF BASIC WORKWEEK; PAY COMPUTATION METHODS

SEC. 604. (a) It shall be the duty of the heads of the several departments and independent establishments and agencies in the executive branch, including Government-owned or controlled corporations, and the District of Columbia municipal government, to establish as of the effective date of this Act, for all full-time officers and employees in their respective organizations, in the departmental and the field services, a basic administrative workweek of forty hours, and to require that the hours of work in such workweek be performed within a period of not more than six of any seven consecutive days.

(b) Beginning not later than October 1, 1945, each pay period for all officers and employees of the organizations referred to in subsection (a), except officers and employees on the Isthmus of Panama in the service of The Panama Canal or the Panama Railroad Company, shall cover two administrative workweeks. When a pay period for such officers and employees begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period.

(c) The following provisions of law are hereby repealed: (1) the provisions of the Saturday half-holiday law of March 3, 1931 (46 Stat. 1482; U. S. C., 1940 edition, title 5, sec. 26 (a)), and (2) the provisions of so much of section 5 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-four, and for other purposes", approved March 3, 1893, as amended (30 Stat. 316; U. S. C., 1940 edition, title 5, sec. 29), as precedes the second proviso in such section. The first sentence of section 6 of the Act of June 30, 1906 (34 Stat. 763; U. S. C., 1940 edition, title 5, sec. 84), is amended by inserting after "United States" the following: "(except persons whose compensation is computed in

45 Stat. 955.  
19 U. S. C. §§ 6a-6d.

Aggregate compensation, limitation.

Exceptions.

Biweekly pay periods.

Exceptions.

Repeals.

5 U. S. C., Supp. IV, § 26a.

27 Stat. 715.  
5 U. S. C., Supp. IV, § 29.  
Amendments.



*Infra.*

Basic per annum  
rates of compensa-  
tion.

Conversion of pay  
rates.

accordance with section 604 (d) of the Federal Employees Pay Act of 1945); and the last sentence of such section 6 is amended by striking out "Any person" and inserting "Any such person".

(d) (1) Hereafter, for all pay computation purposes affecting officers or employees in or under the executive branch, the judicial branch, or the District of Columbia municipal government, basic per annum rates of compensation established by or pursuant to law shall be regarded as payment for employment during fifty-two basic administrative workweeks of forty hours.

(2) Whenever for any such purpose it is necessary to convert a basic monthly or annual rate to a basic weekly, daily, or hourly rate, the following rules shall govern:

(A) A monthly rate shall be multiplied by twelve to derive an annual rate;

(B) An annual rate shall be divided by fifty-two to derive a weekly rate;

(C) A weekly rate shall be divided by forty to derive an hourly rate; and

(D) A daily rate shall be derived by multiplying an hourly rate by the number of daily hours of service required.

(e) The Architect of the Capitol may, in his discretion, apply the provisions of subsection (a) to any officers or employees under the Office of the Architect of the Capitol or the Botanic Garden, and the Librarian of Congress may, in his discretion, apply the provisions of such subsection to any officers or employees under the Library of Congress; and officers and employees to whom such subsection is so made applicable shall also be subject to the provisions of subsections (b) and (d) of this section.

#### REGULATIONS

SEC. 605. The Civil Service Commission is hereby authorized to issue such regulations, subject to the approval of the President, as may be necessary for the administration of the foregoing provisions of this Act insofar as this Act affects officers and employees in or under the executive branch of the Government.

#### VESSEL EMPLOYEES

SEC. 606. Employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, vessel employees of the Coast and Geodetic Survey, and vessel employees of the Panama Railroad Company, may be compensated in accordance with the wage practices of the maritime industry.

#### PERSONNEL CEILINGS

Termination of em-  
ployment of excess  
personnel.

SEC. 607. (a) It is hereby declared to be the sense of the Congress that in the interest of economy and efficiency the heads of departments, and of independent establishments or agencies, in the executive branch, including Government-owned or controlled corporations, shall terminate the employment of such of the employees thereof as are not required for the proper and efficient performance of the functions of their respective departments, establishments, and agencies.

Periodic reports to  
Budget Bureau.

(b) The heads of departments, and of independent establishments or agencies, in the executive branch, including Government-owned or controlled corporations, shall present to the Director of the Bureau of the Budget such information as the Director shall from time to time, but at least quarterly, require for the purpose of determining the numbers of full-time civilian employees (including full-time intermittent employees who are paid on a "when actually employed"



basis, and full-time employees paid nominal compensation, such as \$1 a year or \$1 a month) and the man-months of part-time civilian employment (including part-time employment by intermittent employees who are paid on a "when actually employed" basis, and part-time employment by employees paid nominal compensation such as \$1 a year or \$1 a month) required within the United States for the proper and efficient performance of the authorized functions of their respective departments, establishments, and agencies. The Director shall, within sixty days after the date of enactment of this Act and from time to time, but at least quarterly, thereafter, determine the numbers of full-time employees and man-months of part-time employment, which in his opinion are required for such purpose, and any personnel or employment in such department, establishment, or agency in excess thereof shall be released or terminated at such times as the Director shall order. Such determinations, and any numbers of employees or man-months of employment paid in violation of the orders of the Director, shall be reported quarterly to the Congress. Each such report shall include a statement showing for each department, independent establishment, and agency the net increase or decrease in such employees and employment as compared with the corresponding data contained in the next preceding report, together with any suggestions the Director may have for legislation which would bring about economy and efficiency in the use of Government personnel. As used in this subsection the term "United States" shall include the Territories and possessions.

(c) Determinations by the Director of numbers of employees and man-months of employment required shall be by such appropriation units or organization units as he may deem appropriate.

(d) The Director shall maintain a continuous study of all appropriations and contract authorizations in relation to personnel employed and shall, under such policies as the President may prescribe, reserve from expenditure any savings in salaries, wages, or other categories of expense which he determines to be possible as a result of reduced personnel requirements. Such reserves may be released by the Director for expenditure only upon a satisfactory showing of necessity.

(e) Casual employees, as defined by the Civil Service Commission, and employees hired without compensation may be excluded from the determinations and reports required by this section.

(f) Until the cessation of hostilities in the present war as proclaimed by the President, the provisions of this section shall not be applicable to (1) employees of the War and Navy Departments except those who are subject to the provisions of titles II and III of this Act; or (2) individuals employed or paid by or through the War Shipping Administration (A) who are outside the United States, (B) to whom the provisions of section 1 (a) of the Act of March 24, 1943 (Public Law Numbered 17, Seventy-eighth Congress), are applicable, (C) who are undergoing a course of training under the United States Maritime Service or who have completed such training and are awaiting assignment to ships, or (D) who are on stand-by wages awaiting assignment to ships. As used in this subsection the term "United States" means the several States and the District of Columbia.

#### EXEMPTION FOR PURPOSES OF VETERANS LAWS AND REGULATIONS

SEC. 608. Amounts payable under the provisions of this Act, other than increases under sections 405, 501, 521, and 602, 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

Determinations by Director.

Report to Congress.

Employment studies.

Expenditure reserve.

Casual employees

Nonapplicability of section to certain groups.

57 Stat. 45.  
50 U. S. C., Supp. IV, app. § 1291 (a).

38 U. S. C. note foll. ch. 12; Supp. IV, note foll. ch. 12.



47 Stat. 406.

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 (U. S. C., 1940 edition, title 5, sec. 59a; Supp. IV, title 5, sec. 59b).

## APPROPRIATION AUTHORIZED

SEC. 609. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

## EFFECTIVE DATE

SEC. 610. This Act shall take effect on July 1, 1945.

Approved June 30, 1945.

## [CHAPTER 213]

## AN ACT

June 30, 1945  
[S. 937]  
[Public Law 107]

To amend the Act suspending until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws, so as to continue such suspension until June 30, 1946.

Antitrust laws.  
Suspension of run-  
ning of statute of limi-  
tations.

15 U. S. C., Supp.  
IV, § 16 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first section of the Act entitled "An Act to suspend until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws", approved October 10, 1942 (56 Stat. 781; U. S. C., Supp. III, title 15, note following sec. 16), is amended by striking out the date "June 30, 1945" where it appears in such section and inserting in lieu thereof the date "June 30, 1946".

Approved June 30, 1945.

## [CHAPTER 214]

## JOINT RESOLUTION

June 30, 1945  
[S. J. Res. 30]  
[Public Law 108]

Extending the effective period of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

56 Stat. 24.  
50 U. S. C., Supp.  
IV, app. § 901 (b).

56 Stat. 767.  
50 U. S. C., Supp.  
IV, app. § 966.

56 Stat. 25.  
50 U. S. C., Supp.  
IV, app. § 902 (b).  
Defense-area hous-  
ing rentals.

Establishment of  
maximum rents.

Rents prevailing  
April 1, 1941.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 (b) of the Emergency Price Control Act of 1942, as amended, is amended by striking out "June 30, 1945" and substituting "June 30, 1946".

SEC. 2. Section 6 of the Stabilization Act of 1942, as amended, is amended by striking out "June 30, 1945" and substituting "June 30, 1946".

SEC. 3. Section 2 (b) of the Emergency Price Control Act of 1942, as amended, is hereby amended to read as follows:

"(b) Whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of this Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area. If within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of this Act. So far as practicable, in establishing any maximum rent for any defense-area housing accommodations, the Administrator shall ascertain and give