

Calendar No. 261

74TH CONGRESS
1ST SESSION

H. J. RES. 117

[Report No. 250]

IN THE SENATE OF THE UNITED STATES

JANUARY 21 (calendar day, JANUARY 25), 1935

Read twice and referred to the Committee on Appropriations

FEBRUARY 14, 1935

Reported by Mr. GLASS, with amendments

FEBRUARY 15 (calendar day, FEBRUARY 22), 1935

Recommitted to the Committee on Appropriations

MARCH 4 (calendar day, MARCH 5), 1935

Reported by Mr. GLASS, with amendments

[Omit the part struck through and insert the part printed in *italic*]

JOINT RESOLUTION

Making appropriations for relief purposes.

- 1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That in order to ~~protect and to promote the general welfare,~~
4 by ~~(1) providing relief from the hardships attributable to~~
5 ~~wide-spread unemployment and conditions resulting there-~~
6 ~~from, (2) relieving economic maladjustments, (3) alleviat-~~
7 ~~ing distress, and/or (4) improving living and working con-~~
8 ~~ditions~~ *provide relief and work relief*, there is hereby appro-
9 priated, out of any money in the Treasury not otherwise

1 appropriated, to be used in the discretion and under the
2 direction of the President ~~in such manner, and for such pur-~~
3 ~~poses and/or such projects, Federal or non-Federal,~~ as
4 shall be adapted to the accomplishment of any one or more
5 ~~of the objectives specified in clause (1), (2), (3), or (4),~~
6 to be immediately available and to remain available until
7 June 30, 1937, the sum of \$4,000,000,000, together with the
8 separate funds established for particular areas by proclama-
9 tion of the President pursuant to section 15 (f) of the Agri-
10 cultural Adjustment Act (but any amounts thereof shall be
11 available for use only for the area for which the fund was es-
12 tablished) ; not exceeding \$500,000,000 in the aggregate of
13 any savings or unexpended balances in funds of the Recon-
14 struction Finance Corporation; and not exceeding a total of
15 \$380,000,000 of such unexpended balances as the President
16 may determine are not required for the purposes for which
17 authorized, of the following appropriations, namely: The
18 appropriation of \$3,300,000,000 for national industrial
19 recovery contained in the Fourth Deficiency Act, fiscal year
20 1933, approved June 16, 1933 (48 Stat. 274) ; the appro-
21 priation of \$950,000,000 for emergency relief and civil
22 works contained in the Act approved February 15, 1934
23 (48 Stat. 351) ; the appropriation of \$899,675,000 for emer-
24 gency relief and public works, and the appropriation of
25 \$525,000,000 to meet the emergency and necessity for relief

1 in stricken agricultural areas, contained in the Emergency
2 Appropriation Act, fiscal year 1935, approved June 19, 1934
3 (48 Stat. 1055) ; and any remainder of the unobligated
4 moneys referred to in section 4 of the Act approved March
5 31, 1933 (48 Stat. 22) : *Provided, That except as to such*
6 *part of the appropriation made herein as the President may*
7 *deem necessary for continuing relief as authorized under the*
8 *Federal Emergency Relief Act of 1933, as amended, this*
9 *appropriation shall be available for the following classes of*
10 *projects, and the amounts to be expended for each class shall*
11 *not, except as hereinafter provided, exceed the respective*
12 *amounts stated, namely, highways, roads, streets, and grade-*
13 *crossing elimination, \$800,000,000; rural rehabilitation and*
14 *relief in stricken agricultural areas, \$500,000,000; rural*
15 *electrification, \$100,000,000; housing, \$450,000,000; proj-*
16 *ects for professional and clerical persons, \$300,000,000;*
17 *Civilian Conservation Corps, \$600,000,000; public projects*
18 *of States or political subdivisions thereof, \$900,000,000;*
19 *sanitation, prevention of soil erosion, reforestation, foresta-*
20 *tion, flood control, and miscellaneous projects, \$350,000,000:*
21 *Provided further, That not to exceed 20 per centum of the*
22 *amount herein appropriated may be used by the President to*
23 *increase any one or more of the foregoing limitations if he*
24 *finds it necessary to do so in order to effectuate the purpose*
25 *of this joint resolution. The specific powers hereinafter*

1 ~~vested in the President shall not be construed as limiting the~~
 2 ~~general powers and discretion vested in him by this section.~~

3 *Funds made available by this joint resolution may be*
 4 *used, in the discretion of the President, for the purpose of mak-*
 5 *ing loans to finance, in whole or in part, the purchase of farm*
 6 *lands and necessary equipment by farmers, farm tenants,*
 7 *croppers, or farm laborers. Such loans shall be made on*
 8 *such terms as the President shall prescribe and shall be repaid*
 9 *in equal annual installments, or in such other manner as the*
 10 *President may determine.*

11 SEC. 2. The appropriation made herein shall be avail-
 12 able for use *only* in the United States and its Territories and
 13 ~~possessions, including the Philippine Islands~~ *possessions*. The
 14 provisions of the Act of February 15, 1934 (48 Stat. 351),
 15 relating to disability or death compensation and benefits shall
 16 apply to those persons receiving from the appropriation made
 17 herein, for services rendered as employees of the United
 18 States, security payments in accordance with schedules
 19 established by the President: *Provided*, That so much of
 20 the sum herein appropriated as the United States Employees'
 21 Compensation Commission, with the approval of the Presi-
 22 dent, estimates and certifies to the Secretary of the Treasury
 23 will be necessary for the payment of such compensation and
 24 administrative expenses shall be set aside in a special fund
 25 to be administered by the Commission for such purposes;

1 and after June 30, 1936, such special fund shall be available
2 for these purposes annually in such amounts as may be
3 specified therefor in the annual appropriation Acts. The
4 provisions of section 3709 of the Revised Statutes (U. S. C.,
5 title 41, sec. 5) shall ~~not~~ apply to any purchase made or
6 service procured in carrying out the provisions of this joint
7 resolution when the aggregate amount involved is less
8 *more* than \$300.

9 SEC. 3. In carrying out the provisions of this joint
10 resolution the President may (a) authorize expenditures
11 for contract stenographic reporting services; supplies and
12 equipment; purchase and exchange of law books, books of
13 reference, directories, periodicals, newspapers and press
14 clippings; travel expenses, including the expense of attend-
15 ance at meetings when specifically authorized; rental at
16 the seat of government and elsewhere; purchase, operation
17 and maintenance of motor-propelled passenger-carrying
18 vehicles; printing and binding; and such other expenses as
19 he may determine necessary to the accomplishment of the
20 objectives of this joint resolution; and (b) accept and utilize
21 such voluntary and uncompensated services, appoint, with-
22 out regard to the provisions of the civil-service laws, such
23 officers and employees, and utilize such Federal officers and
24 employees, and, with the consent of the State, such State
25 and local officers and employees, as may be necessary, pre-

1 scribe their authorities, duties, responsibilities, and tenure,
2 and, without regard to the Classification Act of 1923, as
3 amended, and fix the compensation of any officers and
4 employees so appointed.

5 SEC. 4. In carrying out the provisions of this joint
6 resolution the President is authorized, to such extent and
7 in such manner as he finds and prescribes as necessary to
8 the efficient and coordinated administration of the powers
9 exercisable under this joint resolution, to—

10 (a) Establish and prescribe the duties and functions
11 of governmental agencies (including corporations with cor-
12 porate authority only as approved by the President and
13 within the scope of this joint resolution);

14 (b) Utilize and prescribe the duties and functions of
15 any governmental agency (including a corporation);

16 (c) Consolidate, redistribute, abolish, or transfer the
17 functions and/or duties of, and transfer the property and/or
18 personnel of, any emergency governmental agency (includ-
19 ing a corporation); and upon the transfer to another agency
20 and/or the abolition of all the functions and duties of any
21 agency, such agency shall cease to exist; and

22 (d) Delegate the powers conferred on him under this
23 joint resolution to any governmental agency (including a
24 corporation).

1 ~~SEC. 5.~~ In carrying out the provisions of this joint
 2 resolution the President is authorized ~~(within the limits of~~
 3 ~~the appropriation made in section 1)~~—

4 ~~(a)~~ To guarantee loans to, or payments of, needy
 5 individuals;

6 ~~(b)~~ to make grants and/or loans and/or contracts;
 7 and

8 ~~(c)~~ to acquire, by purchase or by the power of emi-
 9 nent domain, any real property or any interest therein, and
 10 improve, develop, maintain, grant, sell, lease ~~(with or with-~~
 11 ~~out the privilege of purchasing)~~, or otherwise dispose of any
 12 such property or interest therein.

13 *SEC. 4. In carrying out the provisions of this joint*
 14 *resolution the President is authorized (within the limits of*
 15 *the appropriation made in section 1) to acquire, by purchase*
 16 *or by the power of eminent domain, any real property or*
 17 *any interest therein, and improve, develop, grant, sell, lease*
 18 *(with or without the privilege of purchasing), or otherwise*
 19 *dispose of any such property or interest therein.*

20 ~~SEC. 6~~ 5. The President is authorized to prescribe
 21 such rules and regulations as may be necessary to carry out
 22 this joint resolution, and any willful violation of any such
 23 rule or regulation shall be punishable by fine of not to exceed
 24 ~~\$5,000~~ \$1,000.

1 *SEC. 6. The President is authorized to fix the rates of*
2 *wages of all persons compensated out of the funds appro-*
3 *priated by this joint resolution and may fix different rates*
4 *for various types of work, which rates need not be uniform*
5 *throughout the United States.*

6 *In the event the President, or such official or agency*
7 *of Government as he may select, shall determine after an*
8 *investigation that the rate of wages paid is affecting ad-*
9 *versely or is likely to decrease the prevailing rates of wages*
10 *paid for any work of a similar nature in any city, town,*
11 *village, or other civil division of the State in which the*
12 *work is located, or in the District of Columbia, the Presi-*
13 *dent, or the official or agency designated by him, shall imme-*
14 *diately fix the rate of wages at an amount not less than the*
15 *prevailing rate of wages paid for work of a similar nature*
16 *in such locality.*

17 *Any and all contracts which may be entered into under*
18 *the authority contained in this resolution shall contain stipu-*
19 *lations which will provide for the accomplishment of the*
20 *purposes of this section.*

21 *SEC. 7. Wherever practicable in the carrying out of*
22 *the provisions of this joint resolution, full advantage shall be*
23 *taken of the facilities of private enterprise.*

24 *SEC. 8. On all building construction work or projects*
25 *undertaken under and by virtue of the authority granted in*

1 this joint resolution, all mechanical sanitary work, which in
 2 the interest of public health is ordinarily regulated or con-
 3 trolled by law, shall be let separately and by contract, and
 4 awarded to the lowest qualified bidder.

5 *SEC. 9. Any person who knowingly and with intent to*
 6 *defraud the United States makes any false statement in con-*
 7 *nection with any application for any project, employment,*
 8 *or relief aid under the provisions of this joint resolution, or*
 9 *diverts, or attempts to divert, or assists in diverting for the*
 10 *benefit of any person or persons not entitled thereto, any*
 11 *moneys appropriated by this joint resolution, or any services*
 12 *or real or personal property acquired thereunder, or who*
 13 *knowingly, by means of any fraud, force, threat, intimidat-*
 14 *ion, or boycott, deprives any person of any of the benefits*
 15 *to which he may be entitled under the provisions of this joint*
 16 *resolution, or attempts so to do, or assists in so doing, shall*
 17 *be deemed guilty of a misdemeanor and shall be fined not*
 18 *more than \$2,000 or imprisoned not more than one year,*
 19 *or both.*

20 *SEC. 10. Federal public roads projects, rivers and*
 21 *harbors projects, reclamation projects, and public buildings*
 22 *projects undertaken pursuant to the provisions of this joint*
 23 *resolution shall be carried out under the direction of the*
 24 *respective permanent Government departments or agencies*
 25 *having jurisdiction of such projects, and the performance of*

1 *all contracts in connection with such projects shall be sub-*
2 *ject to the supervision and control of such departments or*
3 *agencies.*

4 SEC. 7 11. A report of the operations under this joint
5 resolution shall be submitted to Congress before the 10th
6 day of January in each of the next three regular sessions
7 of Congress, which report shall include a statement of the
8 expenditures made and obligations incurred, by classes and
9 amounts.

10 SEC. 8 12. This joint resolution may be cited as the
11 “Emergency Relief Appropriation Act of 1935.”

Passed the House of Representatives January 24, 1935.

Attest:

SOUTH TRIMBLE,
Clerk.

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