

dered otherwise than as an employee in connection with the processing, distribution, storage, installation, repair, or negotiation of purchases or sales of a commodity, or in connection with the operation of any service establishment for the servicing of a commodity: *Provided*, That nothing in this Act shall be construed to authorize the regulation of (1) compensation paid by an employer to any of his employees, or (2) rates charged by any common carrier or other public utility, or (3) rates charged by any person engaged in the business of selling or underwriting insurance, or (4) rates charged by any person engaged in the business of operating or publishing a newspaper, periodical, or magazine, or operating a radio-broadcasting station, a motion-picture or other theater enterprise, or outdoor advertising facilities, or (5) rates charged for any professional services.

(d) The term "defense-rental area" means the District of Columbia and any area designated by the Administrator as an area where defense activities have resulted or threaten to result in an increase in the rents for housing accommodations inconsistent with the purposes of this Act.

(e) The term "defense-area housing accommodations" means housing accommodations within any defense-rental area.

(f) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes) together with all privileges, services, furnishings, furniture, and facilities connected with the use or occupancy of such property.

(g) The term "rent" means the consideration demanded or received in connection with the use or occupancy or the transfer of a lease of any housing accommodations.

(h) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing: *Provided*, That no punishment provided by this Act shall apply to the United States, or to any such government, political subdivision, or agency.

(i) The term "maximum price", as applied to prices of commodities means the maximum lawful price for such commodities, and the term "maximum rent" means the maximum lawful rent for the use of defense-area housing accommodations. Maximum prices and maximum rents may be formulated, as the case may be, in terms of prices, rents, margins, commissions, fees, and other charges, and allowances.

(j) The term "documents" includes records, books, accounts, correspondence, memoranda, and other documents, and drafts and copies of any of the foregoing.

(k) The term "district court" means any district court of the United States, and the United States Court for any Territory or other place subject to the jurisdiction of the United States; and the term "circuit courts of appeals" includes the United States Court of Appeals for the District of Columbia. (Jan. 30, 1942, ch. 26, title III, § 302, 56 Stat. 36.)

INCONSISTENT LAWS

Provisions of clause (1) of subsection (c) of this section insofar as they are inconsistent with provisions of Ex. Ord. No. 9250, Oct. 3, 1942, set out under section 901 of this appendix, are suspended by paragraph 9 of title II of said Order.

SUSPENSION OF SUBSEC. (c) (1)

Suspension of subsec. (c) (1) by President, see section 962 of this appendix.

§ 943. Separability.

If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby. (Jan. 30, 1942, ch. 26, title III, § 303, 56 Stat. 37.)

§ 944. Appropriations authorized.

There are authorized to be appropriated such sums as may be necessary or proper to carry out the provisions and purposes of this Act. (Jan. 30, 1942, ch. 26, title III, § 304, 56 Stat. 37.)

§ 945. Application of existing law.

No provision of law in force on the date of enactment of this Act shall be construed to authorize any action inconsistent with the provisions and purposes of this Act. (Jan. 30, 1942, ch. 26, title III, § 305, 56 Stat. 37.)

§ 946. Short title.

This Act may be cited as the "Emergency Price Control Act of 1942". (Jan. 30, 1942, ch. 26, title III, § 306, 56 Stat. 37.)

INFLATION CONTROL ACT OF 1942 (New)

ACT OCT. 2, 1942, CH. 578, 56 STAT. 765

Sec.	
961.	Stabilization by President of prices, wages, and salaries affecting cost of living; public utility rate increases.
962.	Regulations; delegation of authority; suspension of certain provisions of Emergency Price Control Act of 1942.
963.	Maximum prices for agricultural commodities and products.
964.	Wages and salaries; limitations on control.
964a.	Rescission of stabilization of wages order (New).
965.	Same; prohibition of violation of regulations; employer's reduction of salaries over \$5,000; regulation of payment of double time.
966.	Termination of act.
967.	Emergency Price Control Act of 1942; amendment; applicability of, and construction with this act.
968.	Crop loans.
969.	Amendment of provision relating to encouragement of production of non-basic agricultural commodities.
970.	Definition of wages and salaries.
971.	Violations; penalties.

§ 961. Stabilization by President of prices, wages, and salaries affecting cost of living; public utility rate increases.

In order to aid in the effective prosecution of the war, the President is authorized and directed, on or before November 1, 1942, to issue a general order stabilizing prices, wages, and salaries, affecting the cost of living; and, except as otherwise provided in this Act, such stabilization shall so far as practicable be on the basis of the levels which existed on September 15, 1942. The President may, except as otherwise provided in this Act, thereafter provide for making adjustments with respect to prices, wages, and salaries, to the extent that he finds necessary to aid in the effective prosecution of the war or to correct gross inequities: *Provided*, That no common carrier or other public utility shall make any general increase in its rates or charges which were in effect on September 15, 1942, unless it first gives thirty days notice to the President, or such agency as he may designate, and consents to the timely intervention by such agency before the Federal, State, or municipal authority having jurisdiction to consider such increase. (Oct. 2, 1942, ch. 578, § 1, 56 Stat. 765.)

§ 962. Regulations; delegation of authority; suspension of certain provisions of Emergency Price Control Act of 1942.

The President may, from time to time, promulgate such regulations as may be necessary and proper to carry out any of the provisions of this Act; and may exercise any power or authority conferred upon him by this Act through such department, agency, or officer as he shall direct. The President may suspend the provisions of sections 3 (a) and 3 (c), and clause (1) of section 302 (c), of the Emergency Price Control Act of 1942 (sections 903 (a), 903 (c), and 942 (c) (1) of this appendix) to the extent that such sections are inconsistent with the provisions of this Act, but he may not under the authority of this Act suspend any other law or part thereof. (Oct. 2, 1942, ch. 578, § 2, 56 Stat. 765.)

§ 963. Maximum prices for agricultural commodities and products.

No maximum price shall be established or maintained for any agricultural commodity under authority of this Act or otherwise below a price which will reflect to producers of agricultural commodities the higher of the following prices, as determined and published by the Secretary of Agriculture—

(1) The parity price for such commodity (adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials) or, in case a comparable price has been determined for such commodity under and in accordance with the provisions of section 3 (b) of the Emergency Price Control Act of 1942 (section 903 (b) of this appendix), such comparable price (adjusted in the same manner), or

(2) The highest price received by such producers for such commodity between January 1, 1942, and September 15, 1942 (adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials), or, if the market for such commodity was inactive during the latter half of such period, a

price for the commodity determined by the Secretary of Agriculture to be in line with the prices, during such period, of other agricultural commodities produced for the same general use;

and no maximum price shall be established or maintained under authority of this Act or otherwise for any commodity processed or manufactured in whole or substantial part from any agricultural commodity below a price which will reflect to the producers of such agricultural commodity a price therefor equal to the higher of the prices specified in clauses (1) and (2) of this section: *Provided*, That the President may, without regard to the limitation contained in clause (2), adjust any such maximum price to the extent that he finds necessary to correct gross inequities; but nothing in this section shall be construed to permit the establishment in any case of a maximum price below a price which will reflect to the producers of any agricultural commodity the price therefor specified in clause (1) of this section: *Provided further*, That modifications shall be made in maximum prices established for any agricultural commodity and for commodities processed or manufactured in whole or substantial part from any agricultural commodity, under regulations to be prescribed by the President, in any case where it appears that such modification is necessary to increase the production of such commodity for war purposes, or where by reason of increased labor or other costs to the producers of such agricultural commodity incurred since January 1, 1941, the maximum prices so established will not reflect such increased costs: *Provided further*, That in the fixing of maximum prices on products resulting from the processing of agricultural commodities, including livestock, a generally fair and equitable margin shall be allowed for such processing: *Provided further*, That in fixing price maximums for agricultural commodities and for commodities processed or manufactured in whole or substantial part from any agricultural commodity, as provided for by this Act, adequate weighting shall be given to farm labor. (Oct. 2, 1942, ch. 578, § 3, 56 Stat. 766.)

§ 964. Wages and salaries; limitations on control.

No action shall be taken under authority of this Act with respect to wages or salaries, (1) which is inconsistent with the provisions of the Fair Labor Standards Act of 1938, as amended, or the National Labor Relations Act (Title 29, §§ 151-166), or (2) for the purpose of reducing wages or salaries for any particular work below the highest wages or salaries paid therefor between January 1, 1942, and September 15, 1942. (Oct. 2, 1942, ch. 578, § 4, 56 Stat. 766, as amended Apr. 12, 1943, ch. 52, § 4 (a), 57 Stat. 63, eff. Oct. 2, 1942.)

AMENDMENTS

1943—Act April 12, 1943, cited to text, deleted proviso at end of section.

RAILROAD EMPLOYEES

Regulations and procedure with respect to wage and salary adjustments for employees subject to Railway Labor Act, see Ex. Ord. No. 9299, Feb. 4, 1942, 8 F. R. 1669, set out under section 156 of Title 45, Railroads.

§ 964a. Rescission of stabilization of wages order.

Section 7 of title II, and all other provisions of Executive Order Numbered 9250, "Providing for the stabilization of the national economy" issued October 3, 1942, and all provisions of Regulation Numbered 4001.9, promulgated by the Economic Stabilization Director on October 27, 1942, which are in conflict with section 964 of this Appendix are hereby rescinded; and (2) all orders, regulations, and other directives, and all decisions, promulgated or made by virtue of the said Executive order or regulation which are in conflict with this section are hereby rescinded. (Oct. 2, 1942, ch. 578, § 4 (b), as added Apr. 12, 1943, ch. 52, § 4 (b), 57 Stat. 63.)

CODIFICATION

Section is not part of the Inflation Control Act of 1942.

REFERENCES IN TEXT

Ex. Ord. No. 9250, referred to in section, is set out in note under section 901 of this Appendix.

Regulation No. 4001.9, promulgated Oct. 27, 1942 referred to in section, is set out in note under section 901 of this Appendix.

§ 965. Same; prohibition of violation of regulations; employer's reduction of salaries over \$5,000; regulation of payment of double time.

(a) No employer shall pay, and no employee shall receive, wages or salaries in contravention of the regulations promulgated by the President under this Act. The President shall also prescribe the extent to which any wage or salary payment made in contravention of such regulations shall be disregarded by the executive departments and other governmental agencies in determining the costs or expenses of any employer for the purposes of any other law or regulation.

(b) Nothing in this Act shall be construed to prevent the reduction by any private employer of the salary of any of his employees which is at the rate of \$5,000 or more per annum.

(c) The President shall have power by regulation to limit or prohibit the payment of double time except when, because of emergency conditions, an employee is required to work for seven consecutive days in any regularly scheduled work week. (Oct. 2, 1942, ch. 578, § 5, 56 Stat. 767.)

§ 966. Termination of Act.

The provisions of this Act (except sections 8 and 9 (sections 968 and 969 of this appendix, and amendments to Title 15, § 713a-8)), and all regulations thereunder, shall terminate on June 30, 1944, or on such earlier date as the Congress by concurrent resolution, or the President by proclamation, may prescribe. (Oct. 2, 1942, ch. 578, § 6, 56 Stat. 767.)

§ 967. Emergency Price Control Act of 1942; amendment; applicability of, and construction with this Act.

(a) Section 1 (b) of the Emergency Price Control Act of 1942 (section 901 (b) of this appendix) is hereby amended by striking out "June 30, 1943" and substituting "June 30, 1944".

(b) All provisions (including prohibitions and penalties) of the Emergency Price Control Act of

1942 (section 901 et seq. of this appendix) which are applicable with respect to orders or regulations under such Act shall, insofar as they are not inconsistent with the provisions of this Act, be applicable in the same manner and for the same purposes with respect to regulations or orders issued by the Price Administrator in the exercise of any functions which may be delegated to him under authority of this Act.

(c) Nothing in this Act shall be construed to invalidate any provision of the Emergency Price Control Act of 1942 (section 901 et seq. of this appendix) (except to the extent that such provisions are suspended under authority of section 2 (section 962 of this appendix)), or to invalidate any regulation, price schedule, or order issued or effective under such Act. (Oct. 2, 1942, ch. 578, § 7, 56 Stat. 767.)

§ 968. Crop loans.

(a) The Commodity Credit Corporation is authorized and directed to make available upon any crop of the commodities cotton, corn, wheat, rice, tobacco, and peanuts harvested after December 31, 1941, and before the expiration of the two-year period beginning with the 1st day of January immediately following the date upon which the President by proclamation or the Congress by concurrent resolution declares that hostilities in the present war have terminated, if producers have not disapproved marketing quotas for such commodity for the marketing year beginning in the calendar year in which such crop is harvested, loans as follows:

(1) To cooperators (except cooperators outside the commercial corn-producing area, in the case of corn) at the rate of 90 per centum of the parity price for the commodity as of the beginning of the marketing year;

(2) To cooperators outside the commercial corn-producing area, in the case of corn, at the rate of 75 per centum of the rate specified in (1) above;

(3) To noncooperators (except noncooperators outside the commercial corn-producing area, in the case of corn) at the rate of 60 per centum of the rate specified in (1) above and only on so much of the commodity as would be subject to penalty if marketed.

(b) All provisions of law applicable with respect to loans under the Agricultural Adjustment Act of 1938, as amended (Title 7, §§ 612c, 1281 et seq.; Title 15, §§ 713c, 713c-1; Title 16, §§ 590h, 590o), shall, insofar as they are not inconsistent with the provisions of this section, be applicable with respect to loans made under this section.

(c) In the case of any commodity with respect to which loans may be made at the rate provided in paragraph (1) of subsection (a), the President may fix the loan rate at any rate not less than the loan rate otherwise provided by law if he determines that the loan rate so fixed is necessary to prevent an increase in the cost of feed for livestock and poultry and to aid in the effective prosecution of the war. (Oct. 2, 1942, ch. 578, § 8, 56 Stat. 767.)

§ 969. Amendment of provision relating to encouragement of production of non-basic agricultural commodities.

(a) Section 4 (a) of the Act entitled "An Act to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes", approved July 1, 1941 (U. S. C., 1940 edition, Supp. I, Title 15, sec. 713a-8), is amended—

(1) By inserting after the words "so as to support" a comma and the following: "during the continuance of the present war and until the expiration of the two-year period beginning with the 1st day of January immediately following the date upon which the President by proclamation or the Congress by concurrent resolution declares that hostilities in the present war have terminated,".

(2) By striking out "85 per centum" and inserting in lieu thereof "90 per centum".

(3) By inserting after the word "tobacco" a comma and the word "peanuts".

(b) The amendments made by this section shall, irrespective of whether or not there is any further public announcement under such section 4 (a) (Title 15, § 713a-8 (a)), be applicable with respect to any commodity with respect to which a public announcement has heretofore been made under such section 4 (a) (Title 15, § 713a-8 (a)). (Oct. 2, 1942, ch. 578, § 9, 56 Stat. 768.)

§ 970. Definition of wages and salaries.

When used in this Act, the terms "wages" and "salaries" shall include additional compensation, on an annual or other basis, paid to employees by their employers for personal services (excluding insurance and pension benefits in a reasonable amount to be determined by the President); but for the purpose of determining wages or salaries for any period prior to September 16, 1942, such additional compensation shall be taken into account only in cases where it has been customarily paid by employers to their employees. (Oct. 2, 1942, ch. 578, § 10, 56 Stat. 768.)

§ 971. Violations; penalties.

Any individual, corporation, partnership, or association willfully violating any provision of this Act, or of any regulation promulgated thereunder, shall, upon conviction thereof, be subject to a fine of not more than \$1,000, or to imprisonment for not more than one year, or to both such fine and imprisonment. (Oct. 2, 1942, ch. 578, § 11, 56 Stat. 768.)

**WAR PAY AND ALLOWANCES ACT OF 1942
(New)**

ACT MAR. 7, 1942, CH. 166, 56 STAT. 143

Sec.

1001. Definitions.

1002. Missing, interned, or captive persons; continuance of pay and allowances.

1003. Same; continuance or establishment by department head of allotments for dependents and insurance.

1004. Same; continuance, suspension, or resumption of pay and allowances by department head; limitation on duration of allotments.

Sec.

1005. Same; finding of death upon year's absence; payment of death gratuity; repayment of death gratuity by missing person upon return.

1006. Same; payment of allotments in case of captured or interned persons until death or return to jurisdiction.

1007. Authority of department head to create new allotments and to continue or change amounts of old allotments.

1008. Penalty for fraudulent receipt of payments.

1009. Determinations by department heads or designees; conclusiveness relative to status of personnel, payments, or death.

1010. Same; fact of dependency; authority to determine; conclusiveness.

1011. Settlement of accounts.

1012. Moving dependents and effects of persons dead, injured, captured, etc.; appropriations chargeable with cost.

1013. Income tax deferment for certain persons in government service not in position to pay taxes because of service.

1014. Application of act to persons besieged by enemy.

1015. Effective date and termination of act.

1016. Amendment of Civil Service Retirement Act.

1017. Authorization of lock for Saint Marys Falls Canal, Michigan.

1018. Repealed.

§ 1001. Definitions.

For the purpose of this Act—

(a) the term "person" means (1) commissioned officer, warrant officer, enlisted person (including persons selected under the Selective Training and Service Act, as amended (sections 301-318 of this appendix)), member of the Army or Navy Nurse Corps (female), wherever serving; (2) commissioned officer of the Coast and Geodetic Survey or the Public Health Service; and (3) civilian officers and employees of departments, during such time as they may be assigned for duty outside the continental limits of the United States or in Alaska;

(b) the term "active service" means active service in the Army, Navy, Marine Corps, and Coast Guard of the United States, including active Federal service performed by personnel of the retired and reserve components of these forces, the Coast and Geodetic Survey, the Public Health Service, and active Federal service performed by the civilian officers and employees defined in paragraph (a) (3) above;

(c) the term "dependent" shall be as defined in United States Code, Title 37, sections 8 and 8 (a)¹ or such dependent as has been designated in official records;

(d) the term "department", including such term when used in the amendment made by section 16 (section 1016 of this appendix), means any executive department, independent establishment, or agency (including corporations) in the executive branch of the Federal Government. (Mar. 7, 1942, ch. 166, § 1, 56 Stat. 143.)

¹So in original. Reference was probably intended to sections 8 and 8a of Title 37, Pay and Allowances.

§ 1002. Missing, interned, or captive persons; continuance of pay and allowances.

Any person who is in active service and is officially reported as missing, missing in action, interned in a neutral country, or captured by an enemy shall,