respects to such product so delivered: Provided, however, That no
tax shall be refunded or credited under this section, unless the person
claiming the refund or credit establishes, in accordance with regula-
tions prescribed by the Commissioner of Internal Revenue, with the
approval of the Secretary of the Treasury (1) that he has not
included the tax in the price of the product so delivered or collected
the amount of the tax from the said organization, or (2) that he has
repaid, or has agreed in writing to repay, the amount of the tax to
the said organization. No refund shall be allowed under this section
unless claim therefor is filed within six months after delivery of the
products to the organization for charitable distribution, or use. The
word 'State' as used in this section shall include a State and any
political subdivision thereof.'

Approved, June 16, 1934.

[CHAPTER 552.]

AN ACT

To amend the District of Columbia Alcoholic Beverage Control Act to permit the
issuance of retailers' licenses of class B in residential districts.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That the first
paragraph of section 15 of the District of Columbia Alcoholic
Beverage Control Act is amended to read as follows:

"Sec. 15. No retailer's licenses except of classes B or E shall be
issued for any business conducted in a residential-use district as
defined in the zoning regulations and shown in the official atlases of
the Zoning Commission, except for a restaurant or tavern conducted
in a hotel, apartment house, or club, and then only when the entrance
to such restaurant or tavern is entirely inside of the hotel, apart-
ment house, or club and no sign or display is visible from the out-
side of the building."

Approved, June 16, 1934.

[CHAPTER 553.]

AN ACT

To provide relief to Government contractors whose costs of performance were
increased as a result of compliance with the Act approved June 16, 1933, and
for other purposes.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized
and directed to adjust and settle on a fair and equitable basis claims
of persons who entered into a contract or contracts with the United
States prior to August 10, 1933, including subcontractors and mate-
rialmen performing work or furnishing material or necessary fuel
direct to the contractor under such contracts, for additional costs
incurred by reason of compliance on and after August 10, 1933, with
a code or codes of fair competition approved by the President under
section 3 of the Act approved June 16, 1933, known as the "National
Industrial Recovery Act", or by reason of compliance with an
agreement with the President executed under section 4 (a) of said
Act in the performance after August 10, 1933, of the contract or any
part thereof. In the event that such contract was performed wholly
or in part by a surety on the bond of the contractor, the claim may
be presented by and settlement made with such surety, but such
surety shall have no greater rights than would have accrued to the
contractor had such contractor completed the contract. Any con-
tractor, subcontractor, or completing surety desiring an adjustment
and settlement with respect to any such contract under this Act for
increased costs incurred after August 10, 1933, by reason of com-
pliance with the codes or reemployment agreements shall file with the
department or administrative establishment concerned a verified
claim itemizing such additional costs, and any subcontractor on any
such contract may file his claim directly with the head of the
department or independent establishment concerned or through the
contractor. After the claim has been examined by the head of the
department or independent establishment concerned, or such person
or persons as he shall designate, the claim shall be transmitted to the
Comptroller General of the United States, accompanied with an
administrative finding of fact and recommendation with respect to the
claim.

Sec. 2. In no event shall any allowance exceed the amount by
which the cost of performance of such part of the contract as was
performed subsequently to August 10, 1933, was directly increased
by reason of compliance with a code or codes of fair competition,
or with an agreement with the President, as aforesaid.

Sec. 3. In no event shall any allowance be made which would result
in a profit to the claimant exceeding 7 per centum on the cost of
performance of the contract in respect of which the claim is made.
The head of the department or establishment concerned, subject to
the approval of the Comptroller General, shall have the authority,
from time to time, to determine the actual cost and profit thereon.

Sec. 4. No claim hereunder shall be considered or allowed unless
presented within six months from the date of approval of this Act
or, at the option of the claimant, within six months after the com-
pletion of the contract, except in the discretion of the Comptroller
General for good cause shown by the claimant.

Sec. 5. Appropriations for the purpose of paying claims allowed
hereunder and the expenses of determining the claims are hereby
authorized.

Sec. 6. In all proceedings under this Act witnesses may be com-
pelled to attend, appear, and testify and produce books, papers, and
letters, or other documents; and the claim that any such testimony
or evidence may tend to incriminate the person giving the same shall
not excuse such witness from testifying, but such evidence or testi-
mony shall not be used against such person in the trial of any crim-
inal proceeding. Nothing in this Act shall in any way relieve or
excuse any officer of the United States or any claimant from prosecu-
tion under any statute of the United States for any fraud or criminal
conduct.

Approved, June 16, 1934.

[CHAPTER 554.]

AN ACT

Providing for the issuance of patents upon certain conditions to lands and accre-
tions thereto determined to be within the State of New Mexico in accordance
with the decree of the Supreme Court of the United States entered April 9,
1928.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That the Secretary
of the Interior is authorized and directed to issue patents for the
public lands determined to be within the State of New Mexico in
accordance with the decree of the Supreme Court of the United

Approved, June 16, 1934.