[CHAPTER 520]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Illinois.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Illinois, authorized to be built by the County of Gallatin, State of Illinois, by an Act of Congress approved July 18, 1939, is hereby extended one and three years, respectively, from July 18, 1940.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 2, 1940.

[CHAPTER 521]

AN ACT

To amend the Soil Conservation and Domestic Allotment Act, as amended, the Agricultural Adjustment Act of 1938, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, be amended by adding the following sentence at the end thereof: “In carrying out the provisions of this subsection, the Secretary may transfer to the Federal Crop Insurance Corporation, prior to the execution of applications for insurance or requests for advances by producers, the funds estimated as necessary to cover the advances which will be requested for the payment of premiums under a crop-insurance program, and any portion of such funds not used for advances to producers under such program shall be returned to the Secretary by the Federal Crop Insurance Corporation.”

Sec. 2. That paragraph (5) of subsection (c) of section 8 of the Soil Conservation and Domestic Allotment Act, as amended, is amended by adding at the end thereof the following sentence: “Such normal yield per acre for any county need be redetermined only when the actual average yield for the ten calendar years immediately preceding the calendar year in which such yield is being reconsidered differs by at least 5 per centum from the actual average yield for the ten years upon which the existing normal yield per acre for the county was based.”

Sec. 3. That paragraph (6) of subsection (b) of section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

“(6) (A) ‘Market’, in the case of corn, cotton, rice, tobacco, and wheat, means to dispose of, in raw or processed form, by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos, and, in the case of corn and wheat, by feeding (in any form) to poultry or livestock which, or the products of which, are sold, bartered, or exchanged, or to be so disposed of, but does not include disposing of any of such commodities as premium to the Federal Crop Insurance Corporation under title V.

“(B) ‘Marketed’, ‘marketing’, and ‘for market’ shall have corresponding meanings to the term ‘market’ in the connection in which they are used.”

Sec. 4. That subparagraph (A) of paragraph (13) of subsection (b) of section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

“Market,,” “marketing,” etc., construed.

Approved, July 2, 1940.
“(13) (A) ‘Normal yield’ for any county, in the case of corn or
wheat, shall be the average yield per acre of corn or wheat for the
county during the ten calendar years immediately preceding the year
in which such normal yield is determined, adjusted for abnormal
weather conditions and trends in yields. Such normal yield per acre
for any county need be redetermined only when the actual average
yield for the ten calendar years immediately preceding the calendar
year in which such yield is being reconsidered differs by at least 5
per centum from the actual average yield for the ten years upon which
the existing normal yield per acre for the county was based.”.

SEC. 5. That subparagraph (B) of paragraph (13) of subsection
(b) of section 301 of the Agricultural Adjustment Act of 1938, as
amended, is amended to read as follows:

“(B) ‘Normal yield’ for any county, in the case of cotton, shall be
the average yield per acre of cotton for the county, adjusted for
abnormal weather conditions, during the five calendar years immedi-
ately preceding the year in which such normal yield is determined.”.

SEC. 6. That subsection (c) of section 372 of the Agricultural
Adjustment Act of 1938, as amended, is amended by striking out the
words “within one year” and inserting in lieu thereof the words
“within two years”; by adding after the words “wrongfully col-
lected” and before the comma the words “and the claimant bore the
burden of the payment of such penalty”; and by adding after the first paragraph the following new paragraph:

“Notwithstanding any other provision of law, the Secretary is
authorized to prescribe by regulations for the identification of farms
and it shall be sufficient to schedule receipts into special deposit
accounts or to schedule such receipts for transfer therefrom, or
directly, into the separate fund provided for in subsection (b) hereof
by means of such identification without reference to the names of the
producers on such farms.”.

SEC. 7. That section 385 of the Agricultural Adjustment Act of
1938, as amended, is amended by adding at the end thereof the fol-
lowing new sentence: “In case any person who is entitled to any
such payment dies, becomes incompetent, or disappears before receiv-
ing such payment, or is succeeded by another who renders or com-
pletes the required performance, the payment shall, without regard to
any other provisions of law, be made as the Secretary of Agricul-
ture may determine to be fair and reasonable in all the circumstances
and provide by regulations.”.

SEC. 8. That section 391 of the Agricultural Adjustment Act of
1938, as amended, is amended by adding thereto the following new
subsection:

“(c) During each fiscal year, beginning with the fiscal year ending
June 30, 1941, the Commodity Credit Corporation is authorized and
directed to loan to the Secretary such sums, not to exceed $50,000,000,
as he estimates will be required during such fiscal year, to make crop
insurance premium advances and to make advances pursuant to the
applicable provisions of sections 8 and 12 of the Soil Conservation
and Domestic Allotment Act, as amended, in connection with pro-
grams applicable to crops harvested in the calendar year in which
such fiscal year ends, and to pay the administrative expenses of
county agricultural conservation associations for the calendar year
in which such fiscal year ends. The sums so loaned during any fiscal
year shall be transferred to the current appropriation available for
carrying out sections 7 to 17 of such Act and shall be repaid, with
interest at a rate to be determined by the Secretary but not less than
the cost of money to the Commodity Credit Corporation for a com-
parable period, during the succeeding fiscal year from the appropria-
tion available for that year or from any unobligated balance of the
appropriation for any other year."

SEC. 9. That where an agricultural adjustment or conservation pay-
ment has been made to a person, and all or a part of such payment
was earned by a second person by virtue of his having, in good faith,
contributed to the rendering of performance for which the payment
was made, but who did not enter into or apply for an adjustment
contract prior to January 6, 1936, or with respect to any agricultural
conservation payment did not apply for payment prior to the expira-
tion of the obligating period of the applicable appropriation or prior
to any earlier administrative closing date authorized by the Secretary
of Agriculture, and the first person turned over to the second person,
as substantiated by evidence acceptable to the Secretary, all or a part
of the share of such payment so earned by the second person or
refunds all or a part of such share to the United States, such second
person shall be deemed to have been entitled to receive such sum from
the first person, or where such amount is refunded to the United
States shall be entitled to receive from the United States the amount
so refunded, as a discharge, to the extent of the amount turned over
to, or received by, such second person, of an obligation or commitment
which is hereby deemed to have arisen by virtue of his contribution
to the performance rendered.

An agricultural adjustment payment under this section shall be
considered to be a payment made under section 8 of the Agricultural
Adjustment Act of 1933 or the item entitled "Payments for agricul-
tural adjustment", contained in the Supplemental Appropriation Act,
fiscal year 1936, as amended by the Act of June 25, 1936; and an
agricultural conservation payment under this section shall be con-
sidered to be a payment made under section 8 of the Soil Conservation
and Domestic Allotment Act, as amended, under any program formu-
lated for any year from 1936 to 1939, inclusive.

Approved, July 2, 1940.

[CHAPTER 522]

AN ACT

To extend the times for commencing and completing the construction of a bridge
across the Susquehanna River at or near the city of Harrisburg, Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for
commencing and completing the construction of a bridge across the Susquehanna River, at or near the city of Harrisburg, Pennsylvania,
authorized to be built by the Dauphin County (Pennsylvania) Authority by an Act of Congress approved August 7, 1939, are
hereby extended one and three years, respectively, from May 1, 1940.

SEC. 2. The right to alter, amend, or repeal this Act is hereby
expressly reserved.

Approved, July 2, 1940.

[CHAPTER 523]

AN ACT

To enlarge and extend the power and jurisdiction of the Board of Education over
degree-conferring institutions operating within the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of
Education shall be, and is hereby, authorized and empowered to accredit junior colleges operating within the District of Columbia: