

[CHAPTER 640]

AN ACT

To provide for a national cemetery in the vicinity of Portland, Oregon.

December 29, 1941
[S. 793]
[Public Law 388]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to establish and maintain, in accordance with the provisions of law governing national cemeteries, a national cemetery in the vicinity of Portland, Oregon. The Secretary of War is authorized to acquire by donation, purchase, condemnation, or otherwise such suitable lands as are in his judgment necessary for the establishment and maintenance of such cemetery.

National cemetery,
Portland, Oreg.
Establishment and
maintenance.

SEC. 2. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the purposes of this Act.

Appropriation au-
thorized.

Approved, December 29, 1941.

[CHAPTER 641]

AN ACT

To fix the responsibilities of disbursing and certifying officers, and for other purposes.

December 29, 1941
[H. R. 5785]
[Public Law 389]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, notwithstanding the provisions of the Act of August 23, 1912 (37 Stat. 375; 31 U. S. C. 82), and section 4 of Executive Order Numbered 6166, dated June 10, 1933, disbursing officers under the executive branch of the Government shall (1) disburse moneys only upon, and in strict accordance with, vouchers duly certified by the head of the department, establishment, or agency concerned, or by an officer or employee thereof duly authorized in writing by such head to certify such vouchers; (2) make such examination of vouchers as may be necessary to ascertain whether they are in proper form, duly certified and approved, and correctly computed on the basis of the facts certified; and (3) be held accountable accordingly.

Public accounts.
Duties of disbursing
officers.

5 U. S. C. § 132 note.

Disbursement only
upon certified vouch-
ers.

Examination of
vouchers.

Accountability.

Responsibilities of
certifying officers, etc.

Bond required.

Accountability.

SEC. 2. The officer or employee certifying a voucher shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting papers and for the legality of the proposed payment under the appropriation or fund involved; (2) be required to give bond to the United States, with good and sufficient surety approved by the Secretary of the Treasury, in such amount as may be determined by the head of the department, agency, or establishment concerned, pursuant to standards prescribed by the Secretary of the Treasury, and under such conditions as may be prescribed by the Secretary of the Treasury; and (3) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved: *Provided,* That the Comptroller General may, in his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the char-

Provisos.
Relief of certifying
officers, etc.

Overpayments for transportation services.

54 Stat. 955.
49 U. S. C. § 66.

Enforcement of liability.

Right to obtain decision by Comptroller General.

Application of Act.

Effective date.

acter involved, and that the United States has received value for such payment: *Provided further*, That the Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by title III, part II, section 322, of the Transportation Act of 1940, approved September 18, 1940, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land-grant deductions.

SEC. 3. The liability of certifying officers or employees shall be enforced in the same manner and to the same extent as now provided by law with respect to enforcement of the liability of disbursing and other accountable officers; and they shall have the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment on any vouchers presented to them for certification.

SEC. 4. Nothing contained herein shall apply to the disbursing functions under the jurisdiction of the War Department, the Navy Department (including the Marine Corps), and the Panama Canal, except those pertaining to departmental salaries and expenses in the District of Columbia.

SEC. 5. This Act shall become effective on the first day of the fourth month following the date of its enactment.

Approved, December 29, 1941.

[CHAPTER 642]

AN ACT

To prohibit the possession of dangerous weapons and explosives on board certain vessels.

December 31, 1941
[S. 2119]
[Public Law 390]

Unauthorized possession of weapons or explosives on certain vessels.

Ante, p. 242.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who brings, carries, or has in his possession any dangerous weapon, instrument, or device, or any dynamite, nitroglycerine, or other explosive article or compound on board of any vessel registered, enrolled, or licensed under the laws of the United States, or any vessel purchased, requisitioned, chartered, or taken over by the United States pursuant to the provisions of the Act entitled "An Act to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes", approved June 6, 1941 (Public, Numbered 101, Seventy-seventh Congress, First Session), without previously obtaining the permission of the owner or the master of such vessel, or any person who brings, carries, or has in his possession any such weapon or explosive on board of any vessel in the possession and under the control of the United States or which has been seized and forfeited by the United States or upon which a guard has been placed by the United States pursuant to the provisions of title II of the Act entitled "An Act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes", approved June 15, 1917 (40 Stat. 220, U. S. C., title 50, secs. 191-194), without previously obtaining the permission of the captain of the port in which such vessel is located, shall, upon conviction, be imprisoned not more than one year or fined not more than \$1,000, or both.

Penalty.

Nonapplication of provisions.

SEC. 2. The provisions of this Act shall not apply to the personnel of the armed forces of the United States or to officers or employees of the United States or of a State or of a political subdivision