Army Chief of Staff, or general, is temporarily increased accordingly: Provided, That the provisions of this section in no way affect the status of the officer who may be serving as Chief of Staff in the Army on the effective date of this Act.

Approved June 28, 1948.

[CHAPTER 703]

AN ACT

To amend section 502 (a) of the Department of Agriculture Organic Act of 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502 (a) of the Department of Agriculture Organic Act of 1944 (Public Law 425, Seventy-eighth Congress, 58 Stat. 739, 740), as amended by Public Law 563, Seventy-eighth Congress (58 Stat. 925), is further amended by inserting after the words “to cooperative associations” the words “and municipalities”; and by inserting after the words “said cooperative associations” a comma and the words “and municipalities to the extent that such indebtedness was incurred with respect to electric transmission and distribution lines or systems or portions thereof serving persons in rural areas”.

Approved June 29, 1948.

[CHAPTER 704]

AN ACT

To provide a Federal charter for the Commodity Credit Corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Commodity Credit Corporation Charter Act.”

SEC. 2. CREATION AND PURPOSES.—For the purpose of stabilizing, supporting, and protecting farm income and prices, of assisting in the maintenance of balanced and adequate supplies of agricultural commodities, products thereof, foods, feeds, and fibers (hereinafter collectively referred to as “agricultural commodities”), and of facilitating the orderly distribution of agricultural commodities, there is hereby created a body corporate to be known as Commodity Credit Corporation (hereinafter referred to as the “Corporation”), which shall be an agency and instrumentality of the United States, within the Department of Agriculture, subject to the general direction and control of its Board of Directors.

SEC. 3. OFFICES.—The Corporation may establish offices in such place or places as it may deem necessary or desirable in the conduct of its business.

SEC. 4. GENERAL POWERS.—The Corporation—

(a) Shall have succession in its corporate name.

(b) May adopt, alter, and use a corporate seal, which shall be judicially noticed.

(c) May sue and be sued, but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Corporation or its property. The district courts of the United States, including the district courts of the District of Columbia and of any Territory or possession, shall have exclusive original jurisdiction of all suits brought by or against the Corporation: Provided, That the Corporation may intervene in any court in any suit, action, or proceeding in which it has an interest. Any suit against the Corporation shall be brought in the District of Columbia, or in the district wherein the plaintiff resides or is engaged in business. No suit by or
against the Corporation shall be allowed unless it shall have been
brought within four years after the right accrued on which suit is
brought. All suits against the Corporation shall be tried by the court
without a jury. Notwithstanding any other provision of this Act,
the Federal Tort Claims Act (Public Law 601, Seventy-ninth Con-
gress) shall be applicable to the Corporation. Any suit by or against
the United States as the real party in interest based upon any claim by
or against the Corporation shall be subject to the provisions of this
subsection (c) to the same extent as though such suit were by or against
the Corporation.

(d) May adopt, amend, and repeal bylaws, rules, and regulations
governing the manner in which its business may be conducted and the
powers vested in it may be exercised.

(e) Shall have all the rights, privileges, and immunities of the
United States with respect to the right to priority of payment with
respect to debts due from insolvent, deceased, or bankrupt debtors.
The Corporation may assert such rights, privileges, and immunities
in any suit, action, or proceeding.

(f) Shall be entitled to the use of the United States mails in the
same manner and upon the same conditions as the executive depart-
ments of the Federal Government.

(g) May enter into and carry out such contracts or agreements as
are necessary in the conduct of its business. State and local regula-
tory laws or rules shall not be applicable with respect to contracts or
agreements of the Corporation or the parties thereto to the extent
that such contracts or agreements provide that such laws or rules
shall not be applicable, or to the extent that such laws or rules are
inconsistent with such contracts or agreements.

(h) May contract for the use, in accordance with the usual customs
of trade and commerce, of plants and facilities for the physical han-
dling, storage, processing, servicing, and transportation of the agri-
cultural commodities subject to its control. Except as provided in
section 16, the Corporation shall not have power to acquire or lease
any such plant or facility or to acquire or lease real property or any
interest therein, except that it may rent or lease office space necessary
for the conduct of its business and it may continue to lease (by renew-
ing or extending existing leases or entering into new leases) property
leased by it on the date of the enactment of this Act.

(i) May borrow money subject to any provision of law applicable
to the Corporation: Provided, That the total of all money borrowed
by the Corporation, other than trust deposits and advances received
on sales, shall not at any time exceed in the aggregate $4,750,000,000.
The Corporation shall at all times reserve a sufficient amount of its
authorized borrowing power which, together with other funds avail-
able to the Corporation, will enable it to purchase, in accordance
with its contracts with lending agencies, notes, or other obligations
evidencing loans made by such agencies under the Corporation’s
programs.

(j) Shall determine the character of and the necessity for its obli-
gations and expenditures and the manner in which they shall be
incurred, allowed, and paid.

(k) Shall have authority to make final and conclusive settlement
and adjustment of any claims by or against the Corporation or the
accounts of its fiscal officers.

(l) May make such loans and advances of its funds as are necessary
in the conduct of its business.

(m) Shall have such powers as may be necessary or appropriate
for the exercise of the powers specifically vested in the Corporation,
and all such incidental powers as are customary in corporations gen-
erally; but any research financed by the Corporation shall relate to

Priority of payment
with respect to debts.

Use of U. S. mails.

Contracts or agree-
ments.

Acquisition of prop-
erty.

Borrowing of
money.

Limitation.

Settlement
of claims.

Loans.

Research.
the conservation or disposal of commodities owned or controlled by
the Corporation and shall be conducted in collaboration with research
agencies of the Department of Agriculture.

SEC. 5. SPECIFIC POWERS.—In the fulfillment of its purposes and in
carrying out its annual budget programs submitted to and approved
by the Congress pursuant to the Government Corporation Control Act
(31 U. S. C., 1940 edition, Supp. V, 841), the Corporation is authorized
to use its general powers only to—
(a) Support the prices of agricultural commodities through loans,
purchases, payments, and other operations.
(b) Make available materials and facilities required in connection
with the production and marketing of agricultural commodities.
(c) Procure agricultural commodities for sale to other Government
agencies, foreign governments, and domestic, foreign, or international
relief or rehabilitation agencies, and to meet domestic requirements.
(d) Remove and dispose of or aid in the removal or disposition of
surplus agricultural commodities.
(e) Increase the domestic consumption of agricultural commodities
by expanding or aiding in the expansion of domestic markets or by
developing or aiding in the development of new and additional
markets, marketing facilities, and uses for such commodities.
(f) Export or cause to be exported, or aid in the development of
foreign markets for, agricultural commodities.
(g) Carry out such other operations as the Congress may specifically
authorize or provide for.

In the Corporation's purchasing and selling operations with respect
to agricultural commodities (except sales to other Government
agencies), and in the warehousing, transporting, processing, or han-
dling of agricultural commodities, the Corporation shall, to the maxi-
mum extent practicable consistent with the fulfillment of the
Corporation's purposes and the effective and efficient conduct of its
business, utilize the usual and customary channels, facilities, and
arrangements of trade and commerce.

SEC. 6. EXISTING STATUTES APPLICABLE TO THE CORPORATION.—The
Federal statutes applicable to Commodity Credit Corporation, a Dela-
ware corporation, shall be applicable to the Corporation. Commodity
Credit Corporation, a Delaware corporation, shall cease to be an
agency of the United States as provided in section 7 (a) of the Act
713 (a)).

SEC. 7. CAPITAL STOCK.—The Corporation shall have a capital stock
of $100,000,000 which shall be subscribed by the United States. Such
subscription shall be deemed to be fully paid by the transfer of assets
to the Corporation pursuant to section 16 of this Act. The Corpora-
tion shall pay interest to the United States Treasury on the amount
of its capital stock, and on the amount of the obligations of the Corpo-
ration purchased by the Secretary of the Treasury pursuant to the
Act of March 8, 1938 (U. S. C., title 15, sec. 713a-4), as amended, at
such rates as may be determined by the Secretary of the Treasury
to be appropriate in view of the terms for which such amounts are
made available to the Corporation.

SEC. 8. FUNDS.—The Corporation is authorized to use in the conduct
of its business all its funds and other assets, including capital and net
earnings therefrom, and all funds and other assets which have been
or may hereafter be transferred or allocated to, borrowed by, or other-
wise acquired by it.

SEC. 9. DIRECTORS.—The management of the Corporation shall be
vesited in a Board of Directors (hereinafter referred to as the
"Board"). The Board shall consist of five members. The Secretary
of Agriculture, or his nominee, shall be a member of the Board and the remaining members shall be appointed by the President by and with the advice and consent of the Senate. The Chairman of the Board shall be selected by the Board. A majority of the directors shall constitute a quorum of the Board and action shall be taken only by a majority vote of those present. The appointed directors shall serve for a period of five years, except that the terms of the first Board shall be shortened to provide for replacement or reappointment of its members in number as nearly equal as practicable in each year. The power of removal shall be vested in the President of the United States. The Corporation may provide, by its bylaws, for the compensation to be paid the directors: Provided, That the compensation paid any director shall not exceed in the aggregate $10,000 per annum; And provided further, That employees of the Corporation or any department or agency of the Federal Government, if also directors, shall not receive additional compensation for their services on the Board. Employees of the Corporation or any department or agency of the Federal Government, if also directors, shall not comprise, in the aggregate, more than three of the members of the Board.

The Secretary of Agriculture is authorized to appoint an interim Board consisting of five members, including the Secretary, who shall serve until October 1, 1948.

SEC. 10. THE EXECUTIVE STAFF.—Responsibility for the day-to-day conduct of the business of the Corporation shall be vested in a staff of executive officers, headed by a chief executive appointed by the Board and responsible to the Board. Members of the executive staff shall devote their full time to the affairs of the Corporation. The Board shall define the authority and duties of the members of the executive staff, delegate to them such of the powers vested in the Corporation as it may determine, require that such of them as it may designate be bonded and fix the penalties therefor. The Corporation may pay the premium of any bond or bonds of any officer or employee. With the exception of experts, appointments shall be made pursuant to the civil-service laws and the Classification Act of 1923, as amended (5 U. S. C., 1940 edition, 661).

SEC. 11. COOPERATION WITH OTHER GOVERNMENTAL AGENCIES.—The Corporation may, with the consent of the agency concerned, accept and utilize, on a compensated or uncompensated basis, the officers, employees, services, facilities, and information of any agency of the Federal Government, including any bureau, office, administration, or other agency of the Department of Agriculture, and of any State, the District of Columbia, any Territory or possession, or any political subdivision thereof. The Corporation may allot to any bureau, office, administration, or other agency of the Department of Agriculture or transfer to such other agencies as it may request to assist it in the conduct of its business any of the funds available to it for administrative expenses. The personnel and facilities of the Corporation may, with the consent of the Corporation, be utilized on a reimbursable basis by any agency of the Federal Government, including any bureau, office, administration, or other agency of the Department of Agriculture, in the performance of any part or all of the functions of such agency.

SEC. 12. UTILIZATION OF ASSOCIATIONS AND TRADE FACILITIES.—The Corporation may, in the conduct of its business, utilize on a contract or fee basis, committees or associations of producers, producer-owned and producer-controlled cooperative associations, and trade facilities.

SEC. 13. RECORDS; ANNUAL REPORT.—The Corporation shall at all times maintain complete and accurate books of account and shall file annually with the Secretary of Agriculture a complete report as to the business of the Corporation, a copy of which shall be forwarded.
SEC. 14. INTEREST OF MEMBERS OF THE CONGRESS.—The provisions of section 1 of the Act of February 27, 1877, as amended (41 U. S. C., 1940 edition, 22), shall apply to all contracts or agreements of the Corporation, except contracts or agreements of a kind which the Corporation may enter into with farmers participating in a program of the Corporation.

SEC. 15. CRIMES AND OFFENSES.—

FALSE STATEMENTS; OVERVALUATION OF SECURITIES

(a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of influencing in any way the action of the Corporation, or for the purpose of obtaining for himself or another, money, property, or anything of value, under this Act, or under any other Act applicable to the Corporation, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment by not more than five years, or both.

EMBEZZLEMENT, AND SO FORTH; FALSE ENTRIES; FRAUDULENT ISSUE OF OBLIGATIONS OF CORPORATION

(b) Whoever, being connected in any capacity with the Corporation or any of its programs, (i) embezzles, abstracts, purloins, or willfully misapplies any money, funds, securities, or other things of value, whether belonging to the Corporation or pledged or otherwise entrusted to it; or (ii) with intent to defraud the Corporation, or any other body, politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Corporation, makes any false entry in any book, report, or statement of, or to, the Corporation, or draws any order, or issues, puts forth or assigns any note or other obligation or draft, mortgage, judgment, or decree thereof; or (iii) with intent to defraud the Corporation, participates or shares in, or receives directly or indirectly any money, profit, property, or benefits through any transaction, loan, commission, contract, or any other act of the Corporation, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

LARCENY; CONVERSION OF PROPERTY

(c) Whoever shall willfully steal, conceal, remove, dispose of, or convert to his own use or to that of another any property owned or held by, or mortgaged or pledged to, the Corporation, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

CONSPIRACY TO COMMIT OFFENSE

(d) Whoever conspires with another to accomplish any of the acts made unlawful by the preceding provisions of this section shall, upon conviction thereof, be subject to the same fine or imprisonment, or both, as is applicable in the case of conviction for doing such unlawful acts.

GENERAL STATUTES APPLICABLE

(e) All the general penal statutes relating to crimes and offenses against the United States shall apply with respect to the Corporation, its property, money, contracts and agreements, employees, and operations: Provided, That such general penal statutes shall not apply to the extent that they relate to crimes and offenses punishable under
subsections (a), (b), (c), and (d) of this section: Provided further, that sections 114 and 115 of the Act of March 4, 1909, as amended (18 U. S. C., 1940 edition, 204, 205) shall not apply to contracts or agreements of a kind which the Corporation may enter into with farmers participating in a program of the Corporation.

SEC. 16. TRANSFER OF ASSETS OF COMMODITY CREDIT CORPORATION, A DELAWARE CORPORATION.—The assets, funds, property, and records of Commodity Credit Corporation, a Delaware corporation, are hereby transferred to the Corporation. The rights, privileges, and powers, and the duties and liabilities of Commodity Credit Corporation, a Delaware corporation, in respect to any contract, agreement, loan, account, or other obligation shall become the rights, privileges, and powers, and the duties and liabilities, respectively, of the Corporation. The enforceable claims of or against Commodity Credit Corporation, a Delaware corporation, shall become the claims of or against, and may be enforced by or against, the Corporation: Provided, That nothing in this Act shall limit or extend any period of limitation otherwise applicable to such claims against the Corporation.

SEC. 17. DISSOLUTION OF DELAWARE CORPORATION.—The Secretary of Agriculture, representing the United States as the sole owner of the capital stock of Commodity Credit Corporation, a Delaware corporation, is hereby authorized and directed to institute or cause to be instituted such proceedings as are required for the dissolution of said Corporation under the laws of the State of Delaware. The costs of such dissolution of said Corporation shall be borne by the Corporation.

SEC. 18. EFFECTIVE DATE.—This Act shall take effect as of midnight June 30, 1948.

Approved June 29, 1948.

[CHAPTER 705]

AN ACT

To authorize the issuance of a stamp commemorative of the two-hundredth anniversary of the founding of the city of Alexandria, Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue, during 1949, a special 5-cent air mail postage stamp of such design as he shall prescribe, in commemoration of the two-hundredth anniversary of the founding of the city of Alexandria, Virginia.

Approved June 29, 1948.

[CHAPTER 706]

AN ACT

To amend the Canal Zone Code for the purpose of incorporating the Panama Railroad Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

Section 1. It is the policy of this Act, incorporating the Panama Railroad Company pursuant to section 304 (b) of the Government Corporation Control Act, approved December 6, 1945, for the purpose of conducting business activities incident to the care, maintenance, sanitation, operation, improvement, government, and protection of