to transfer to the city or county jurisdiction and maintenance of
service roads which the Secretary constructs on park lands to
properties that otherwise would be denied access because of the
installation of the park tour road.

The Secretary of the Interior shall not, without first obtaining the
consent of the city and county officials referred to in subsection (c),
convert the portion of the existing road known as Confederate Avenue
lying between Graveyard Road and Fort Garrott into a one-way park
tour road with controlled access, or otherwise limit the use of such
portion by local traffic, until the United States has provided for such
alterations, relocations, and construction of local roads (including
procurement of rights-of-way) as the Secretary and said officials agree
are directly attributable to the installation of such park tour road.

Sec. 2. Upon the delivery and acceptance of the conveyances herein
authorized, any jurisdiction heretofore ceded to the United States
by the State of Mississippi over the lands and roads transferred shall
thereby cease and thereafter rest in the State of Mississippi.

Sec. 3. There are hereby authorized to be appropriated such sums,
but not more than $2,050,000, as are required for acquisition of lands
and interests in lands and for construction and relocation of roads
pursuant to this Act.

Approved June 4, 1963.

Public Law 88-38

AN ACT

To prohibit discrimination on account of sex in the payment of wages by
employers engaged in commerce or in the production of goods for commerce.

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 "Equal Pay Act of 1963."

DECLARATION OF PURPOSE

Sec. 2. (a) The Congress hereby finds that the existence in industries
engaged in commerce or in the production of goods for commerce of
wage differentials based on sex—

(1) depresses wages and living standards for employees neces­
sary for their health and efficiency;
(2) prevents the maximum utilization of the available labor
resources;
(3) tends to cause labor disputes, thereby burdening, affecting,
and obstructing commerce;
(4) burdens commerce and the free flow of goods in commerce:
and
(5) constitutes an unfair method of competition.

(b) It is hereby declared to be the policy of this Act, through
exercise by Congress of its power to regulate commerce among the
several States and with foreign nations, to correct the conditions above
referred to in such industries.

Sec. 3. Section 6 of the Fair Labor Standards Act of 1938, as
amended (29 U.S.C. et seq.), is amended by adding thereto a new
subsection (d) as follows:

"(d) (1) No employer having employees subject to any provisions
of this section shall discriminate, within any establishment in which
such employees are employed, between employees on the basis of sex
by paying wages to employees in such establishment at a rate less
than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex: Provided, That an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

"(2) No labor organization, or its agents, representing employees of an employer having employees subject to any provisions of this section shall cause or attempt to cause such an employer to discriminate against an employee in violation of paragraph (1) of this subsection.

"(3) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this Act.

"(4) As used in this subsection, the term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.'"

SEC. 4. The amendments made by this Act shall take effect upon the expiration of one year from the date of its enactment: Provided, That in the case of employees covered by a bona fide collective bargaining agreement in effect at least thirty days prior to the date of enactment of this Act, entered into by a labor organization (as defined in section 6(d)(4) of the Fair Labor Standards Act of 1938, as amended), the amendments made by this Act shall take effect upon the termination of such collective bargaining agreement or upon the expiration of two years from the date of enactment of this Act, whichever shall first occur.

Approved June 10, 1963, 12:00 m.